




# City of Loma Linda Official Report

Mayor Floyd Peterson  
Stan Brauer, Mayor pro tempore  
Robert Christman, Councilmember  
Robert Ziprick, Councilmember  
Charles Umeda, Councilmember

COUNCIL AGENDA: May 24, 2005

TO: City Council

VIA: Dennis R. Hallaway, City Manager 

FROM: Deborah Woldruff, AICP, Community Development Director *for HPC*

SUBJECT: GENERAL PLAN AMENDMENT (GPA) NO. 03-02, ZONE CHANGE (ZC) NO. 03-02, TENTATIVE TRACT MAP (TTM) NO. 15738, PRECISE PLAN OF DESIGN (PPD) NO. 04-08 AND DEVELOPMENT AGREEMENT (RIVERBEND ESTATES)

## RECOMMENDATION

The recommendation of the Planning Commission and staff is that the City Council takes the following actions:

1. Adopt the Mitigated Negative Declaration (Attachment A); and
2. Approve and adopt General Plan Amendment No. 03-02 (Council Bill No.# R-2005-23 Attachment B) based on the Findings; and
3. Approve and adopt Zone Change No. 03-02 based on the findings, and introduce Council Bill No.# O-2005-05 on the First Reading and set the Second Reading for June 14, 2005 (Attachment C), based on the Findings; and
4. Approve Tentative Tract Map No. 15738 (Attachment D) and Precise Plan of Design No. 04-08 based on the Findings, and subject to the attached Conditions of Approval (Attachment E); and
5. Approve and adopt the Development Agreement (Attachment F), by introducing Council Bill No.# O-2005-06 on the First Reading and set the Second Reading for June 14, 2005.

## SUMMARY OF REQUEST

The project proposes a General Plan Amendment to change the General Plan land use designation from Low Density Residential (2.1-5 du/ac) to Medium Density Residential (5.1-9 du/ac), and the Zoning from Single-Family Residence (R-1) to Planned Community (PC) in order to subdivide the 2.46-acre property into 16 single-family residential lots. The project site is located in the North Central Neighborhood of the City where State, Lane and Lilac Streets terminate. The project also includes a request for approval of a Tentative Tract Map, Precise Plan

of Design, and a Development Agreement between the City and the applicant to assist in the production of future affordable housing throughout the City.

## **BACKGROUND**

The project and Initial Study were first reviewed at the March 2, 2005 Planning Commission meeting. The item was continued to the April 6, 2005 meeting to allow the applicant time to prepare a design alternative that eliminates the connection of the three streets. City staff recommends the approval of connecting the three streets to improve overall circulation in this area of the North Central Neighborhood. The City obtained the easement for the street and utilities many years ago. However, the residents in the vicinity of the project adamantly oppose a through connection that would bring more traffic into and through their neighborhood. For this reason, staff suggested the alternative configuration of a cul-de-sac at the terminus of Lilac Street and a knuckle at State and Lane Streets. If the City Council wishes to approve the alternative design, the applicant, Public Works Staff, and Fire Department Staff are comfortable with the alternative road configuration. The Planning Commission approved the design for Lilac Street, and State and Lane Streets over the original design, which showed Lane Street connecting with Lilac Street. As a result, the Conditions of Approval have been modified and the Planning Commission at their meeting on April 6, 2005 recommends City Council approve the project with the design alternative (Attachment E).

## **ANALYSIS**

### **Project Descriptions and Site Design**

The project site is a vacant parcel located adjacent to the San Timoteo Creek Flood Control Channel. The changes to the General Plan and Zoning maps provide an opportunity for project specific development standards (Attachment B). The proposed density of 6.5 dwelling units per acre is within the Medium Density designation of the Draft General Plan at 5.1 to 9 dwelling units per acre with an average lot size of 5,363 square feet. The project complies with Loma Linda Municipal Code Section 17.70.

There are six (6) attached units proposed along Lane Street and two (2) attached units along Lilac Street with the remaining eight houses on Lilac Street as detached units (Attachment D). A twenty-four (24') foot private driveway, shown off of Lilac, provides access to lots 7, 8, and 16. A pedestrian easement is provided at the end of the driveway for neighborhood connectivity to the State Street extension.

The project site will be annexed into the City's Landscape Maintenance District (LMD); however, a Homeowners Association (HOA) will maintain the front yard landscaping for all 16 lots. The applicant has been informed about the Loma Linda Connected Communities Program (LLCCP) and affirms his intent to comply with the Program. Due to the small size of the project, no park space is provided on the project site and the applicant shall pay his fair share of the park fees as part of the development impact fees.

## **Architecture**

The applicant is proposing six floor plans between 1,700 to 2,600 square feet (Attachment H). Pertinent information about the project plans are outlined, as follows:

<b>Plan</b>	<b>Story</b>	<b>SQ FT</b>	<b>Bed</b>	<b>Bath</b>	<b>Garage</b>	<b>Options</b>
1	1	1,500	3	2	2	
2	1	2,200	3	2	2	
3	2	2,869	4	2.5	2	office
4	2	2,485	4	2.5	2	office
5*	1	1,803	3	2	2	
6	1	1,856	3	2	2	

\* - Due to the design alternative, the Plan 5 model previously shown on Lot 15 has been replaced with a Plan 4 model.

Architectural styles include Spanish and Traditional design. Exterior sidings will include stucco and siding for architectural enhancement. Earth tone colors will be incorporated into the exterior color scheme. The design of the homes is compatible with and complementary to the existing residential development.

## **Development Agreement**

Because the project is located in the City's Redevelopment Project Area, the project must provide affordable housing units per Low/Moderate housing requirements of the State of California. As such, fifteen percent of the units shall be affordable according to the City's Redevelopment Agency requirements or the applicant may pay an in-lieu fee to assist in the production of future, affordable housing units throughout the City. The applicant has chosen the option of paying the in-lieu fee (see Attachment F).

## **Project Application Findings**

The recommended findings for this project are contained in the April 6, 2005 Planning Commission Staff Report (see Attachment G).

## **Public Comments**

The project public hearing notice went out on May 12, 2005. A letter has been received from Mr. Juan Uribe, 10730 Lilac Street, urging Council to approve the design alternative. The letter will be provided at the meeting.

## **ENVIRONMENTAL**

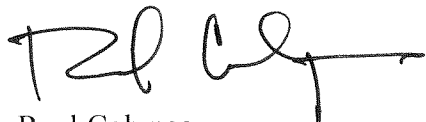
On March 17, 2005, the Initial Study and Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was prepared and issued for the mandatory California Environmental Quality Act (CEQA) 20-day public review, which began on March 18, 2005 and ended on April 6, 2005 (Attachment A). The Initial Study evaluates potential impacts to the environment and identifies

appropriate mitigation measures. The potential impacts of the project can be mitigated to below a level of significance and mitigation measures have been included as Conditions of Approval (Attachment E). Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA.

### **FINANCIAL IMPACT**

The amount of revenue that the project will bring to the City from payment of Development Impact fees is currently estimated to be in excess of \$243,000. In addition, the project applicant has already paid the entitlement application fees and the project will be subject to Plan Check fees, Building Permit fees, Grading Permit fees, and Fire Plan Check/Inspection fees. Finally, the project will also be providing in-lieu fees to meet the affordable housing needs of the Redevelopment Agency.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Raul Colunga', with a long horizontal stroke extending to the right.

Raul Colunga  
Assistant Planner

### **ATTACHMENTS**

- A. Mitigated Negative Declaration (NOI/Initial Study)
- B. General Plan Amendment No. 03-02 (Council Bill No. Resolution 2005-23)
- C. Zone Change No. 03-02 (Council Bill No. Ordinance 2005-05)
- D. Tentative Tract Map No. 15738
- E. Conditions of Approval
- F. Development Agreement (Council Bill No. Ordinance 2005-06)
- G. April 6, 2005 Planning Commission Staff Report
- H. Floor Plans & Elevations

I:\Project Files\TRACT MAPS\TT 15738 SGA & Assoc\CC 05-24-05 SR.doc



# **Attachment A**

**Mitigated Negative Declaration  
(NOI/Initial Study)**

**CITY OF LOMA LINDA  
OFFICIAL NOTICE OF PUBLIC HEARING AND  
NOTICE OF INTENT TO ADOPT A MITIGATE NEGATIVE DECLARATION  
OF ENVIRONMENTAL IMPACT**

Notice is hereby given that the City of Loma Linda **Planning Commission** will hold a public hearing on **Wednesday, March 2, 2005**, at 7 p.m. in the Council Chambers, City Hall, 25541 Barton Road, Loma Linda, California 92354, on the item described below.

**General Plan Amendment (GPA) No. 03-02, Zone Change (ZC) No. 03-02, Tentative Tract Map (TTM) No. 15738, Precise Plan of Design (PPD) No. 04-08 and a Development Agreement:** The project is a residential subdivision of approximately 2.5 acres into 16 attached and detached single-family residential lots. The proposal includes an amendment to the General Plan Land Use Map from Low Density (1 to 4 dwelling units per acre) to Medium Density (5.1-9 dwelling units per acre) and a Zone Change from Single Family Residential (R-1) to Planned Community (PC). A Planned Community Document will replace the traditional zoning and development standards. The proposal also includes a Tentative Tract Map for the subdivision and a Precise Plan of Design for the design of the site and the residences. A development agreement will be required for the affordable housing requirement. The proposed project and subject site are not listed in the California Hazardous Waste and Substances Site List (Cortese List) pursuant to Government Code Section 65962.5(E). The project is located in the North Central area of the City and is adjacent to the San Timoteo Channel. The project can be accessed from Lilac and Lane Streets (APNs 0283-215-05 and 06).

The City of Loma Linda proposes to adopt a Mitigated Negative Declaration for the project. Staff has found that the project will not have a significant effect on the environment on the basis of the Initial Study. Copies of the Initial Study are available for public review at the Community Development Department, Public Counter located in City Hall (address noted above) and the Loma Linda Library, 25581 Barton Road, located at the east end of the Civic Center. Pursuant to the California Environmental Quality Act, the public review period will begin on **February 11, 2005**, and end on **Wednesday, March 2, 2005**. Any environmental comments you have should have been submitted in writing to this office no later than 5 p.m. on **Wednesday, March 2, 2005**. If you do not respond in writing, we will assume that you have no opinions and/or recommendations on the above project(s).

Environmental Determination:	Proposed Mitigated Negative Declaration
Proponent:	SGA & Associates

The Planning Commission of the City of Loma Linda requests your participation in evaluating the above-mentioned proposal. The Planning Commission will review the project and will consider the proposed environmental determination in making their decision. The public is welcome to speak at the public hearing or to submit written comments prior to the hearing. Should you desire further information, please do not hesitate to contact the Community Development Department at City Hall, or by phone at (909) 799-2830.

If you challenge the resultant action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

**INITIAL STUDY  
FOR  
TENTATIVE TRACT MAP 15738  
LOMA LINDA, CALIFORNIA**

**Prepared for:**

**Post, Buckley, Schuh, & Jernigan, Inc. (PBS&J)**

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Riverside, California 92506-5900

Contact: Mohammad Younes

**Prepared by:**

**Michael Brandman Associates**

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San Bernardino, California 92408

Contact: Kent Norton, AICP, REA  
Director of Environmental Services



January 2005

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## **1.0 INTRODUCTION**

### **1.1 PROJECT DESCRIPTION**

The proposed project (Tentative Tract Map 15738), consists of 16 one and two-story, single-family residential dwelling units (a mixture of attached and detached units) on approximately 2.5-acres of land within the City of Loma Linda (City) in San Bernardino County. The site is bounded by Lilac Street to the north, State Street to the east, Lane Street to the south, and San Timoteo Creek Channel on the west. The project site is located in the San Bernardino Grant of Township 1 South, Range 3 West of the USGS 7.5' San Bernardino South topographic quadrangle.

The City is located approximately 5 miles south of downtown San Bernardino. Regional access to the City is provided by the Interstate-10 (I-10) and the Riverside Freeway (Interstate-215 [I-215]). Exhibit 1 illustrates the regional location. More specifically, the proposed project is located south of Interstate-10, east of Anderson Street, and west of Mountain View Avenue. Exhibit 2 shows the vicinity location.

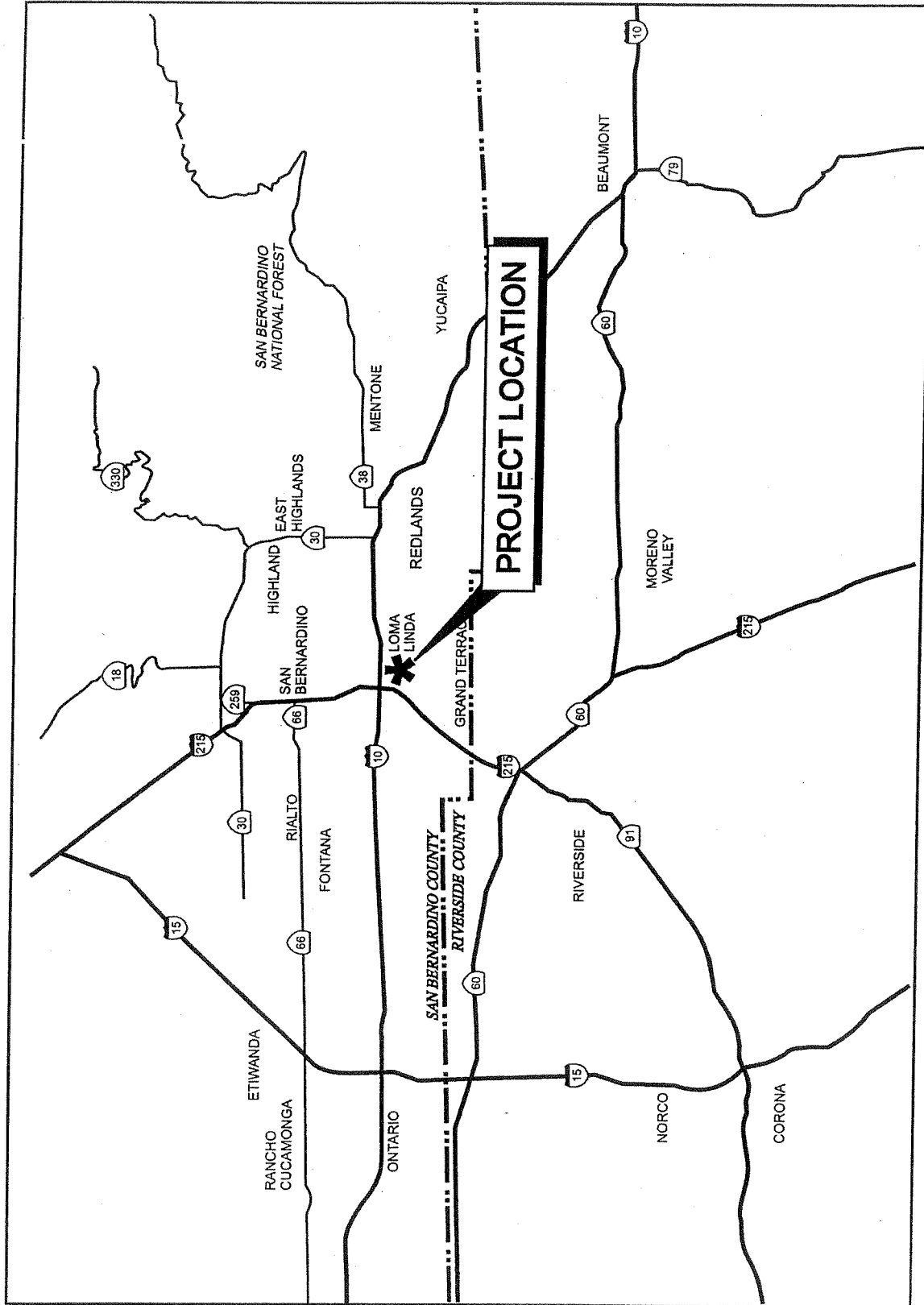
The proposed project has a density of approximately 6.4 dwelling units per acre (du/ac), with lots ranging in size from 3,939 square feet (SF) to 6,660 SF. The current General Plan Land Use designation is "Low-Density Residential", and it is within the single-family residential zoning district (R-1) which requires a minimum lot size of 7,200 SF. As such, the proposed project does not conform to current zoning requirements. However, the City is in the process of updating a the General Plan. Once the Draft General Plan is adopted, it is anticipated that the existing zoning code would be rescinded and a temporary code adopted. This temporary zoning proposes to zone the project site as a Planned Community Development (PC) with a medium-density residential zoning (5.1-9 du/ac).

The site would be accessed from both Lilac Street (north) and Lane Street (south) (see Exhibit 3, Site Plan), with off-street parking provided via attached two-car garages.

Architecturally, one- and two-story dwellings in a contemporary interpretation of the Spanish Colonial Revival and Craftsman styles are proposed. Features of note include the use of stucco and wood shingles as exterior cladding materials, multi-light windows, arches, exposed rafters, and wrought iron ornamentation.

### **1.2 SURROUNDING LAND USES**

Single-family residences are located immediately north of the proposed project site, and residential duplex units are located east and south. The concrete-lined San Timoteo Creek Flood-Control Channel bounds the west side of the property (Exhibit 4, Site Photos). Surrounding land uses include: single-family and duplex residential to the north, east, and south; and multi-family residential to the west (Table 1).

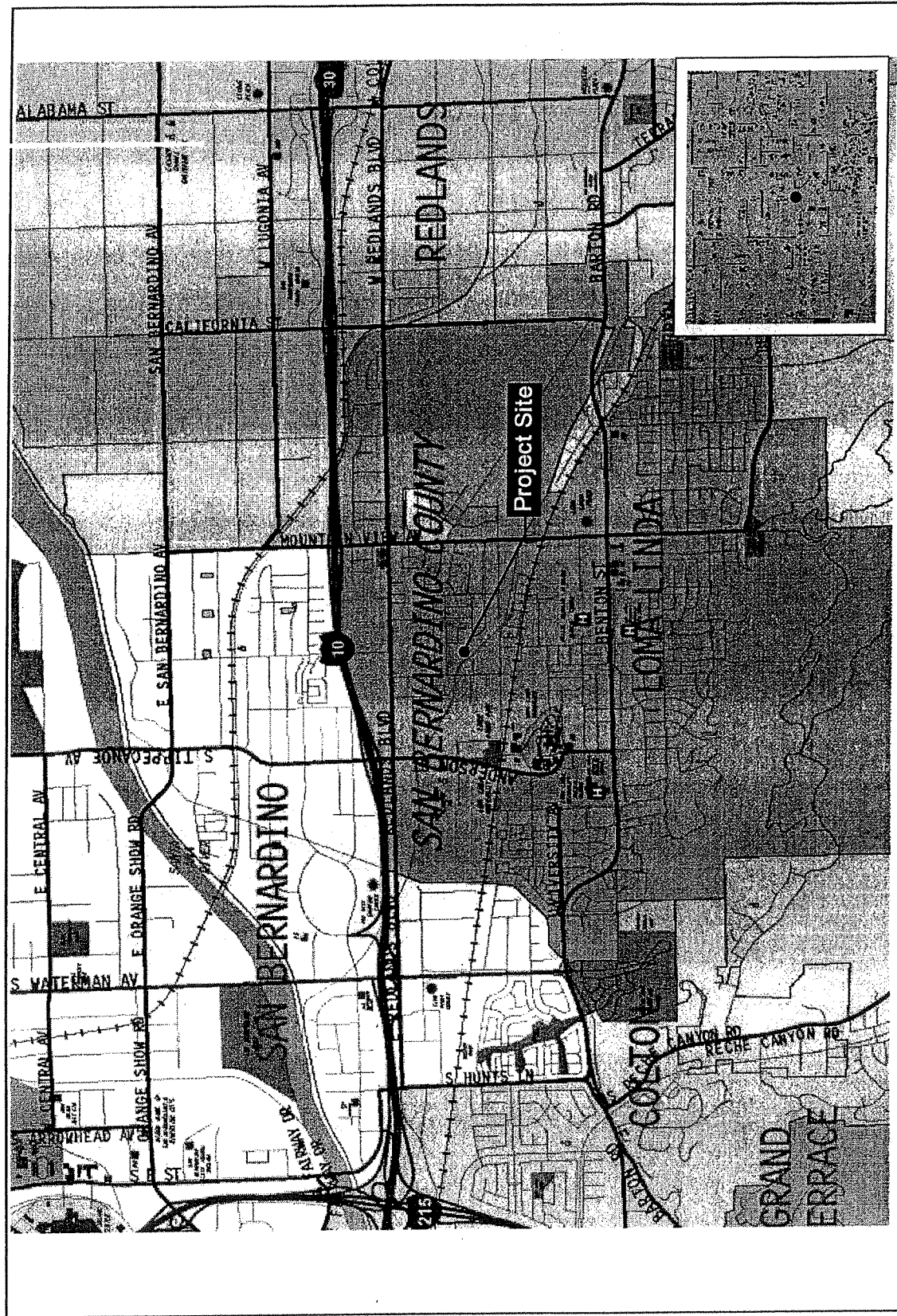


HERON  
Michael Brandman Associates

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# Exhibit 1 Regional Location Map

LOMA LINDA TENTATIVE TRACT 15738 INITIAL STUDY



Source: Thomas Guide Digital Edition 2003.



Michael Brandman Associates

20370008 - 07/2004 | 2\_local.cdr

NOT TO SCALE

## Exhibit 2 Local Vicinity Map

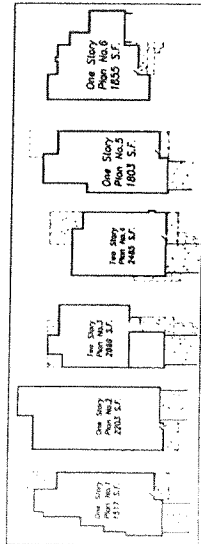
LOMA LINDA TENTATIVE TRACT 15738 INITIAL STUDY



# TENTATIVE TRACT NO. 15738

A SUBDIVISION OF A PORTION OF LOT 15, BLOCK 75 PER MAP OF RANCHO SAN BERNARDINO, IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7, PAGE 2, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.  
APN: 283-215-005,006

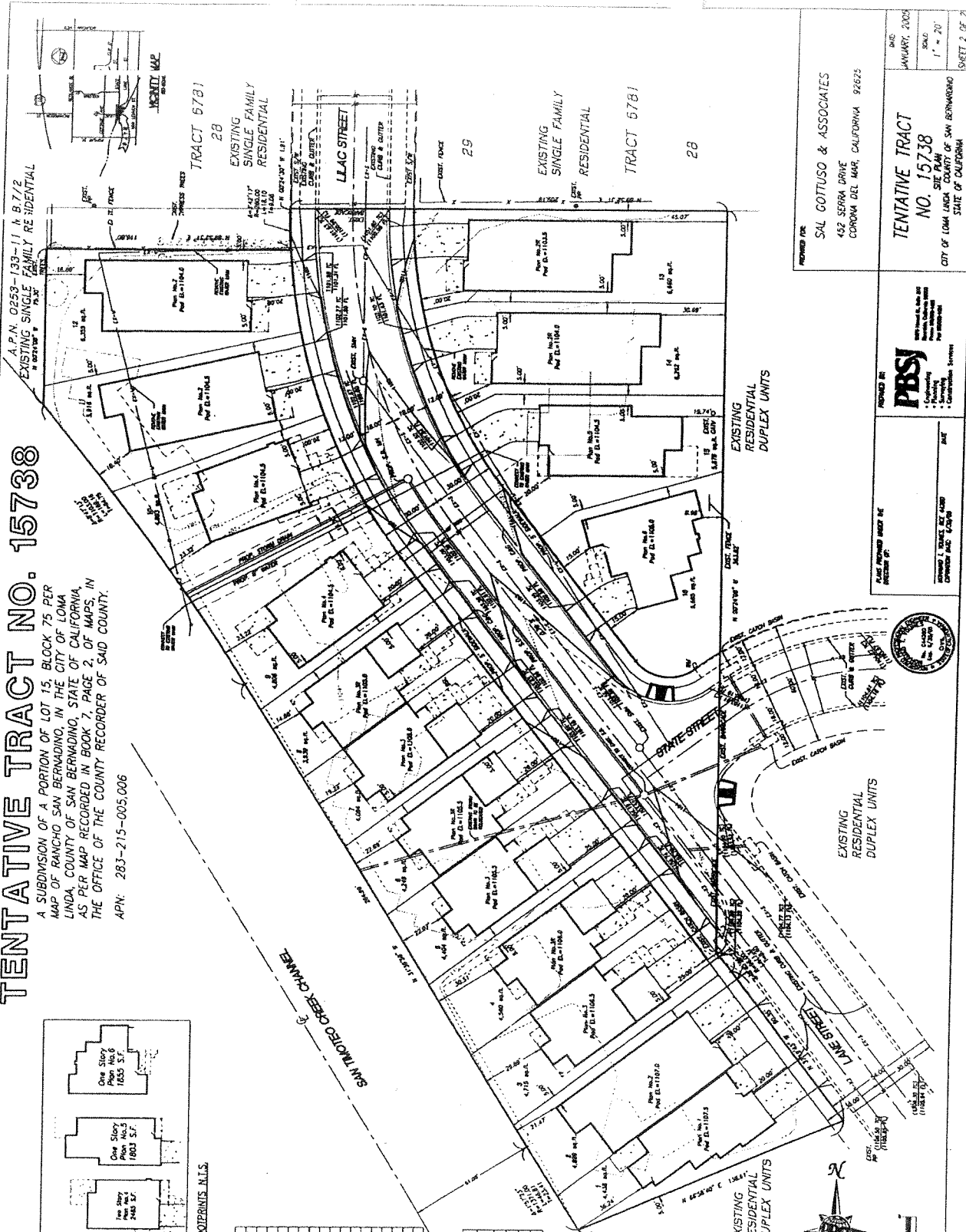
A.P.N. 0259-133-11 N.B. 7/2  
EXISTING SINGLE FAMILY RESIDENTIAL



BUILDING FOOTPRINTS N.T.S.

LOT NO.	LOT AREA	FLOOR AREA	LOT COVERAGE
1	44.58 S.F.	1917 S.F.	4.3%
2	45.59 S.F.	2603 S.F.	5.7%
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99	45.59 S.F.	2603 S.F.	5.7%
100	45.59 S.F.	2603 S.F.	5.7%

TYPE	SQUARE FEET	ACRES
HAUS / HOUSE OPEN SPACE	25,435	0.57
CONCRETE	12,845	0.29
BUILDING CONCRETE	23,864	0.54
HOUSE-PT. RT. DECKING	24,144	0.55
TOTAL SITE AREA	107,228	2.44

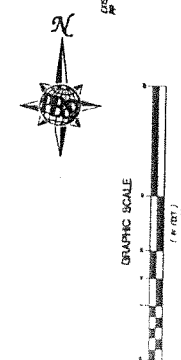


PREPARED FOR:  
SAL COTTOSO & ASSOCIATES  
432 SERRA DRIVE  
CORONA DEL MAR, CALIFORNIA 92625

DATE: JANUARY, 2005  
SCALE: 1" = 20'  
SHEET 2 OF 2

PREPARED BY:  
**PBSJ**  
Professional Building Surveying, Inc.  
• Engineering  
• Planning  
• Construction Services

DATE: \_\_\_\_\_



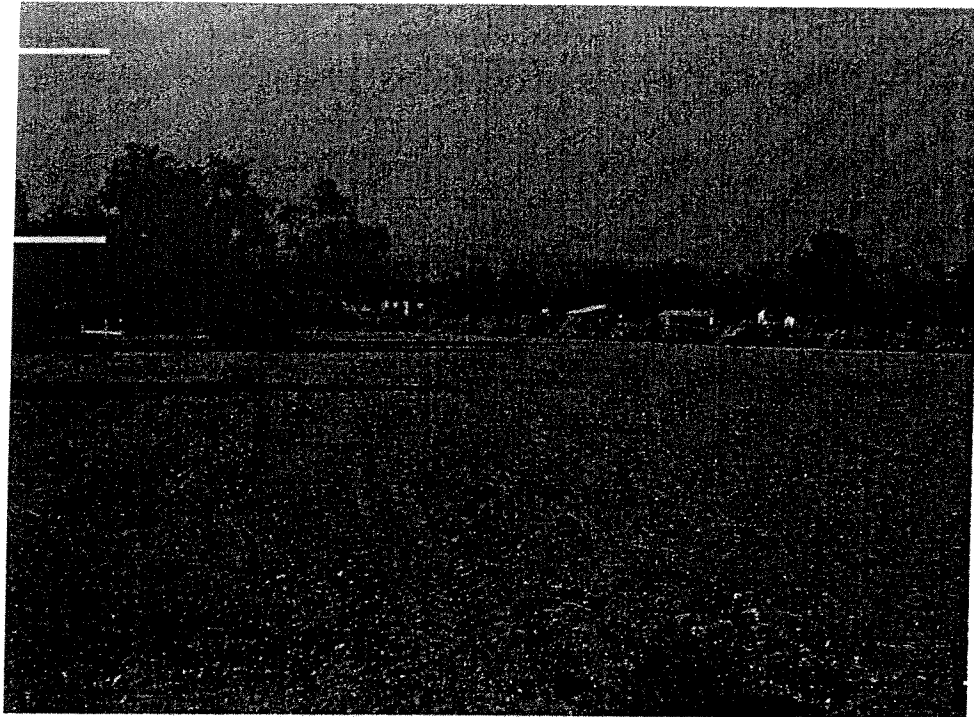
SITE PHOTOS



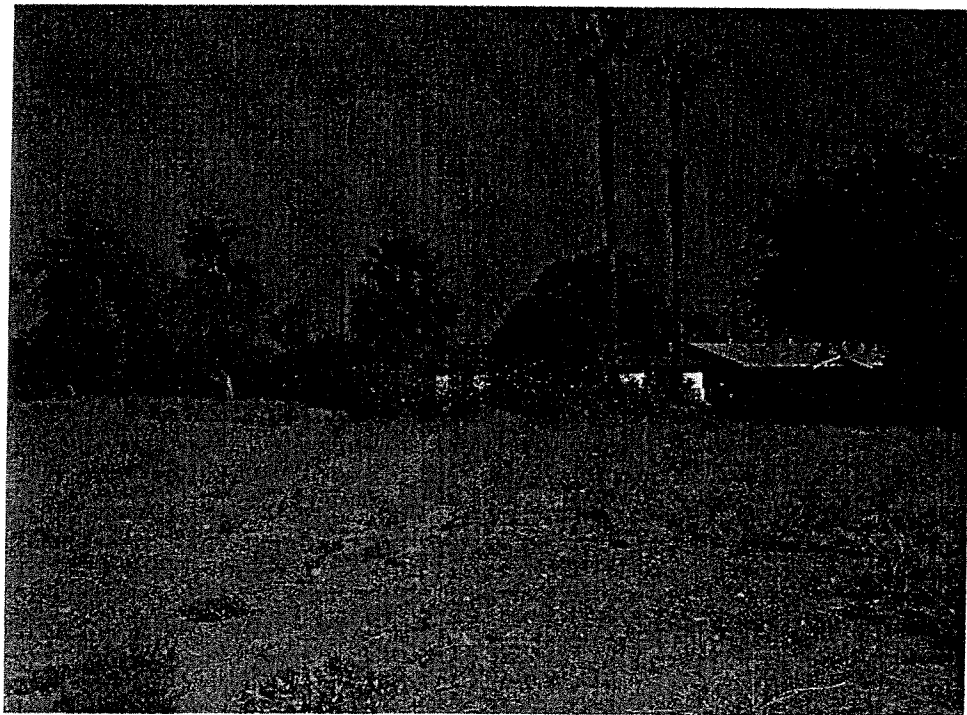
End of Lane Street, facing east



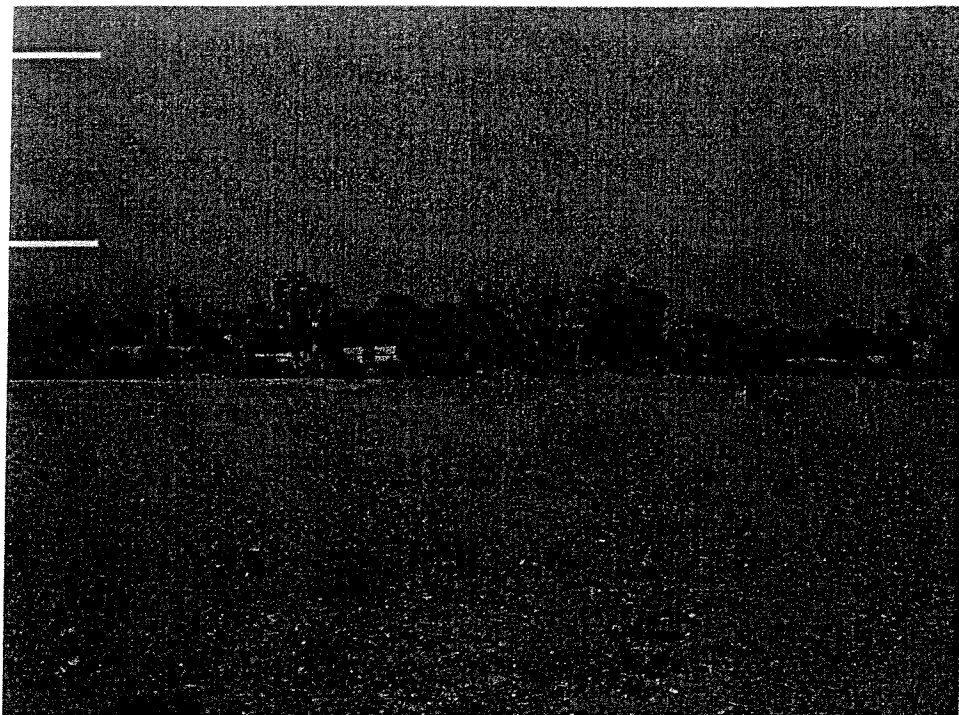
End of State Street, facing east



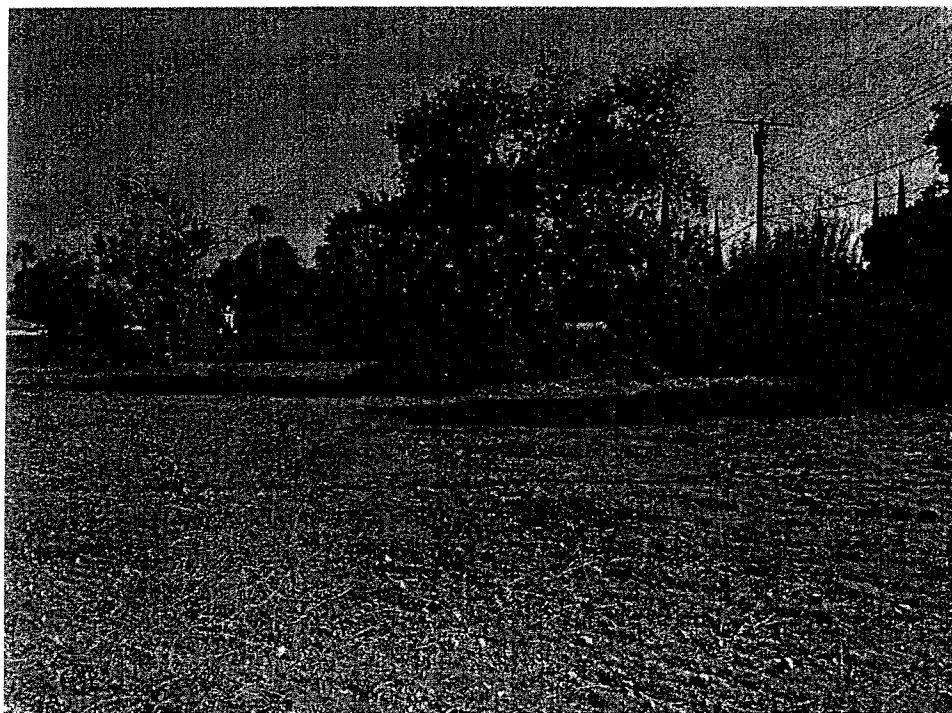
Center of property, facing south



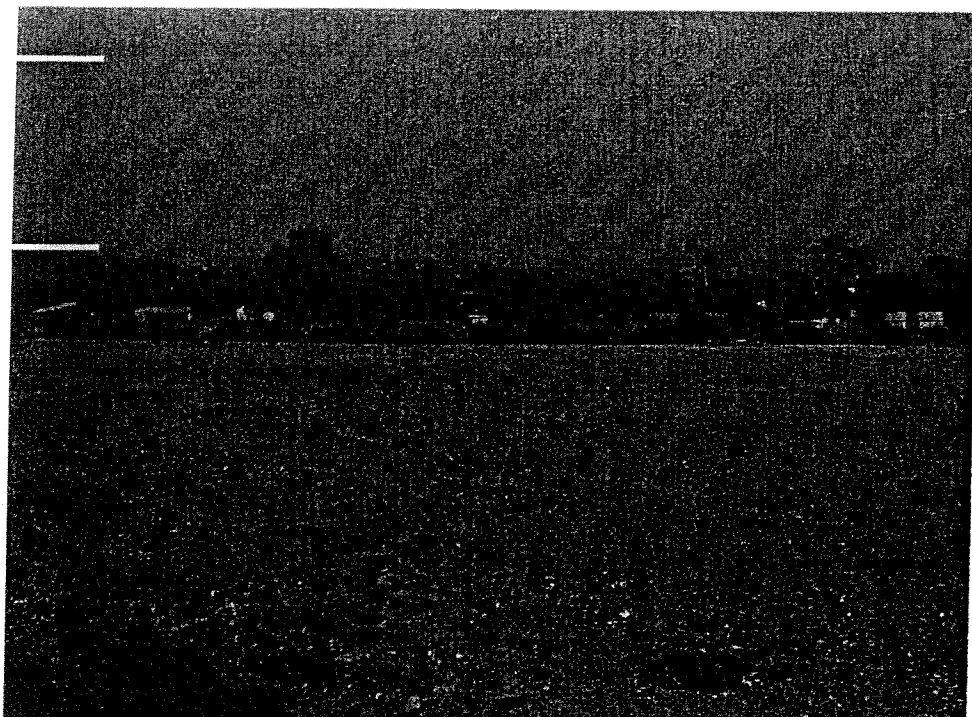
East side of property, facing north



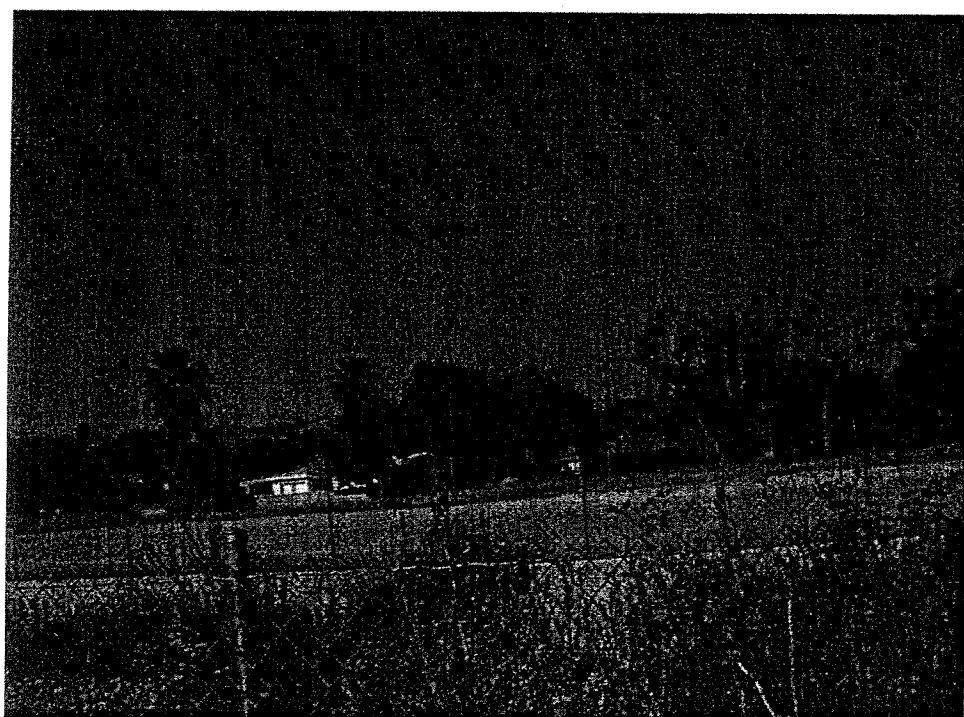
East side of property, facing west



Northeast corner of property, facing north



East side, facing southwest



West side of property, facing west across San Timoteo Creek channel

Table 1: Existing Land Use

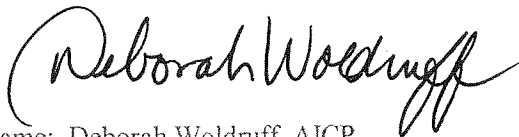
	Existing Land Use	General Plan	Zoning
Site	Vacant	MDR <sup>1</sup>	R-1 <sup>2</sup>
North	Single-family residence	MDR	R-1
East	Duplex residential housing	MDR	R-1
South	Duplex residential housing	MDR	R-1
West	Flood-control channel, and multi-family housing	MDR	R-3 <sup>3</sup>
<sup>1</sup> MDR: Medium density residential (5.1 – 9 dwelling units/acre)			
<sup>2</sup> R-1: Single-family Residence Zone			
<sup>3</sup> R-3: Multiple-family Residence Zone			

### 1.3 DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT will be prepared.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment. But at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



Date: February 9, 2005

Printed Name: Deborah Woldruff, AICP  
Community Development Director

For the City of Loma Linda

**2.0 ENVIRONMENTAL CHECKLIST**

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS. -- Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project is located on relatively flat land and is not on or in the vicinity of a scenic corridor. The development of up to 16 single-family residences will not obstruct any existing scenic views. Hence, this project will not have a significant impact on the scenic vista.				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project area is not located within or near a state scenic highway, or historic buildings, as identified in the City of Loma Linda General Plan (General Plan). Furthermore, while surrounding residential development incorporates mature landscaping, the site is devoid of mature trees and rock outcroppings. Therefore, no visual impacts to a state scenic highway are anticipated.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The site currently is vacant, with exposed dirt and loose rock being the primary groundcover. Patches of non-native annual grasses interspersed with native vegetation were noted during a site visit, as were scattered broken bottles and other debris. As the project is surrounded by single-family and duplex residential units, it meets the CEQA (§21061.0.5 [a]) definition of an infill site. Therefore, conversion of this vacant lot into single-family residential units will not result in a significant loss of visual character.				
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed project would incrementally add to the overall ambient light level in the area; however, the development would be compatible with existing adjacent subdivisions, and would include logical extensions of streetlights to provide safety and security. No spotlighting or floodlighting would be used or installed on the project site either prior to, during, or following construction. Therefore, no significant adverse affect on nighttime views would occur.				



ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE RESOURCES.</b> -- Would the project:				
[In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland].				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Approximately three percent (3%) of developed land in the City and its Sphere of Influence is under agricultural production. The majority of existing agricultural land is located in the eastern portion of the City, with scattered citrus groves dispersed throughout its borders. The City does not recognize the long-term retention of agricultural lands and states as a guiding policy (General Plan, Chapter 9.5.2) that development in the agricultural areas will occur as a natural extension of urban expansion. The project site appears to have been graded, and is not currently used for agricultural production. The site is designated as Low Density Residential by the General Plan Land Use Map, and is located in the R-1 zone. There are no known Williamson Act contract(s) on the property. As such, this project will not convert any agricultural land into non-agricultural use.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project site appears to have been graded, and is not currently used for agricultural production. The site is designated as Low Density Residential by the General Plan Land Use Map, and is located in the R-1 zone. There are no known Williamson Act contract(s) on the property. As such, this project will not conflict with existing zoning for agricultural use, or a Williamson Act contract.				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The General Plan Land Use Map indicates that the site is currently designated for low-density residential use. Adjoining land use designations are low and medium-density residential uses. Hence, the project would not result in conversion of important farmland to non-agricultural use.				



ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY. -- Would the project:</b>				
[Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations].				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The Air Quality Management Plan (AQMP) sets forth a comprehensive program that will lead the air basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.</p> <p>The proposed project is an infill project and the revision of zoning and density classification of the site will be consistent with the zoning and density of the surrounding parcels. It is also noted that the project is in close proximity to the Loma Linda University, University Medical Center, Loma Linda Academy High School, and Loma Linda Plaza interconnect the project to a wide variety of employment centers colleges, schools, and a regional shopping mall. The project also has bus service in the project area. Finally, project emissions are below the SCAQMD thresholds of significance. For these reasons, it is appropriate to conclude that the proposed project is in compliance with the AQMP.</p>				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project area is designated a non-attainment area for ozone, and PM<sub>10</sub>. The emissions inventory in the project-specific evaluation indicates that all emissions are below the applicable SCAQMD threshold. Therefore, project generated emissions will not contribute to violations of the federal or state ambient air quality standards.</p>				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<p>The project area is designated as a non-attainment area for ozone and PM-10. The project-specific evaluation of emissions presented in the preceding analysis supports a conclusion that the air quality impacts for the proposed project are less than significant on an individual project basis. CEQA Section 21100 (e) addresses evaluation of cumulative effects allowing the use of approved land use documents in a cumulative impact analysis. In addressing cumulative effects for air quality, the AQMP is the most appropriate document to use because the AQMP sets forth a comprehensive program that will lead the SCAB, including the project area, into compliance with all federal and state air quality standards and utilizes control measures and related emission reduction estimates based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Since the proposed project is in conformance with the AQMP and the project is not significant on an individual basis, it is appropriate to conclude that the project's incremental contribution to criteria pollutant emissions is not cumulatively considerable.</p>				
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The sensitive receptors include the existing residential uses surrounding the proposed project site. Local prevailing winds in the area travel from northwest to southeast (see Exhibit 4). The project-specific CO hot spot analysis demonstrates that hot spots are not created as a result of the project. Considering the quantity of emissions and the dispersion of the pollutants, the project will not expose sensitive receptors to substantial pollutant concentrations.</p>				
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The proposed project presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the site during construction of the project. The closest area with substantial numbers of people is the existing residential uses immediately east of the proposed project site. Local prevailing winds in the area travel from northwest to southeast (see Exhibit 3). These emissions would rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Recognizing the quantity and dispersion of the pollutants, the project will not subject a substantial number of people to objectionable odors.</p>				
<b>IV. BIOLOGICAL RESOURCES. – Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>a-d) The project site is currently undeveloped and highly disturbed. It is primarily comprised of exposed soil with loose rocks and patches of non-native annual grasses. Some native plant species are scattered throughout the site. No listed or otherwise sensitive plant or animal species were identified as potentially occurring on site during the biological resources survey (Appendix B, January 2004). Additionally, the project site does not support riparian habitat or any other sensitive natural community. San Timoteo Creek, southwest of the project site, is a channelized flood control structure, and does not support native vegetation or wildlife species. There are no jurisdictional water features or migratory wildlife corridors within the project site. The project site has several large trees that could support nesting birds. Therefore, requirements of the Migratory Bird Treaty Act and CDFG Codes shall be required. The project will also provide areas for bird sanctuary along the San Timoteo Channel, which will be a part of a larger aviary sanctuary along the Channel.</p> <p><b>Biological Resources Mitigation Measure BR-1:</b> As per the Migratory Bird Treaty Act and CDFG Codes, removal of any trees, shrubs, or any other potential nesting habitat, should be conducted outside the nesting season. The nesting season generally occurs between early February through August, but can vary slightly from year to year. If trees are to be removed during the nesting season, immediately prior to grading, the project proponent should have a breeding bird survey conducted by a qualified biologist to identify any potential nesting activities. Trees should be saw cut and removed outside the breeding season and left down until all grading activities are complete to avoid nesting issues.</p>				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project site is a highly disturbed vacant lot. There are no local policies or ordinances protecting biological resources relevant to the project site. The proposed development would not conflict with any habitat conservation or natural community conservation plans.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project site is a highly disturbed, vacant lot. There are no local policies or ordinances protecting biological resources relevant to the project site. The proposed development would not conflict with any habitat conservation or natural community conservation plans.				
<b>V. CULTURAL RESOURCES.</b> -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
According to the General Plan, the proposed project does not fall within a historical district, nor does it contain any historical resources.				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Only a small portion of the City has been surveyed for prehistoric resources. Although the entire City is considered moderately sensitive for prehistoric resources, the project site does not fall within a highly sensitive area for prehistoric resources.  Although no prehistoric or historic archaeological, or cultural sites are expected to occur within the project site, the project will be required to conform to the policies of the Conservation and Open Space Element. Grading will be halted if cultural resources are encountered and will not resume until a qualified expert has evaluated and recorded the identified cultural resources.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
According to the Conservation and Open Space Element, no resource localities have been recorded in, or immediately adjacent to the City, as no records of previous paleontological resource assessments in the San Timoteo Formation are in existence.  Although no paleontological are expected to occur within the project site, the project will be required to conform to the policies of the Conservation and Open Space Element. Grading will be halted if paleontological resources are encountered and will not resume until a qualified expert has evaluated and recorded the identified find.				
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The site is not expected to contain any human remains. If any are encountered, construction will be halted and the San Bernardino County Coroner shall be immediately advised, per City requirements.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS.</b> -- Would the proposal:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map issued by the State Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>i), ii), iii) The site is not located within or immediately adjacent to an Earthquake Fault Zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. Since no faults are known to pass through the project site, a surface fault rupture within the project site is unlikely.</p> <p>The project site is located in a region of generally high seismicity, as is all of Southern California. The Loma Linda fault, located approximately 0.5 mile southwest of the site, may represent an older branch of the San Jacinto fault and is not an active fault as defined by the State of California. The Banning fault, located approximately 0.5 mile northwest of the site, is a major structural break lying between the San Bernardino Mountains and San Geronio Pass. The Banning fault is considered by the State of California to be an active fault, east of Cabazon. No significant earthquakes are known to have occurred during historic time (i.e., within the last 11,000 years) along either the Loma Linda or this section of the Banning fault. The San Jacinto fault, which is approximately 1.6 miles to the southwest of the project site, has been one of the most seismically active faults in southern California. Between 1899 and 1995, eight earthquakes of magnitude 6.0 or greater have occurred along the San Jacinto fault between the San Gabriel Mountains and Mexico. Since 1899, earthquakes on the San Jacinto fault of magnitude 6.0 or greater have occurred every 5 to 19 years. The most recent significant earthquake associated with the San Jacinto fault that occurred near the project area in 1923, was an estimated 6.3 magnitude event south of Loma Linda.</p> <p>The project site is within a liquefaction zone according to the City of Loma Linda General Plan, and there is a moderate to moderately high susceptibility for liquefaction hazards. Impacts resulting from liquefaction would be minimized with implementation of the mitigation measure below, in conformance with the General Plan.</p> <p><b>Geology and Soils Mitigation Measure GS-1:</b> The developer shall have a specialized soils report(s) completed addressing hazards due to liquefaction and implement the recommendation of the Geotechnical Investigation Report prepared by CHJ Inc., on January 23, 2004 into the project development. All construction shall comply with prevailing building codes.</p>				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Seismically-induced landslides are not expected to occur because the site is relatively flat.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substantial soil erosion is unlikely to occur due to the relatively flat terrain and compacted nature of the site.				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The proposed project is not anticipated to result in onsite or off-site landslide, lateral spreading, subsidence, or collapse. The site is located within a liquefaction zone. Impacts resulting from liquefaction would be minimized with mitigation:</p> <p><b>Geology and Soils Mitigation Measure GS-1:</b> The developer shall have a specialized soils report(s) completed addressing hazards due to liquefaction and implement the recommendation of the Geotechnical Investigation Report prepared by CHJ Inc., on January 23, 2004 into the project development. All construction shall comply with prevailing building codes.</p>				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The soils within the project site consist of San Emigdio gravelly sandy loam, 2 to 9 percent slopes, (USGS Soil Survey for San Bernardino County, Southwestern Part) and are not anticipated to result in onsite or off-site landslides. These soils are nonexpansive by nature.				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The development site will be supported by a sewer system and, therefore, no alternative wastewater disposal systems or septic tanks will be used.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS.</b> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hazardous materials which may be present during construction include limited storage of diesel fuel and the storage of paints and solvents common to construction. Quantities of materials stored on site during construction activities will be limited to amounts reasonable and necessary for construction activities and will be stored in manner consistent with hazardous material storage requirement. Although potentially hazardous materials may be on site, the quantities and use of these materials is routine and will not pose a threat to surrounding areas or the public in general. Therefore, a less than significant impact from hazardous materials transport or use will occur during construction activities at the project site.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hazardous materials which may be present during construction include limited storage of diesel fuel and the storage of paints and solvents common to construction. Quantities of materials stored on site during construction activities will be limited to amounts reasonable and necessary for construction activities and will be stored in manner consistent with hazardous material storage requirement. Although potentially hazardous materials may be on site, the quantities and use of these materials is routine and will not pose a threat to surrounding areas or the public in general. Therefore, less than significant impact from hazardous materials transport or use will occur during construction activities at the project site.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No school currently exists within a quarter-mile radius from the project site, according to the <i>2004 Thomas Guide, San Bernardino and Riverside Counties Street Guide and Directory</i> (page 60). The Loma Linda Academy High School is approximately 0.5 mile west, and Loma Linda University is approximately 0.5 mile southwest of the project site; however, this project is not expected to result in the emission of either temporary or long-term hazardous materials that would impact these schools.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The site is not on or near any abandoned or uncontrolled hazardous waste sites which are listed on the National Priorities List (NPL), and no Superfund sites are located in the surrounding area.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The San Bernardino International Airport is approximately 2 miles north of the project site. The proposed project site does not fall within its influence area, and the airport's proximity is not expected to result in a safety hazard to residents of the project area.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
There are no private airstrips within the vicinity of the proposed project.				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The proposed project will not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. Access to the residences will be provided by arterials connecting to Lane Street and Lilac Street.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The development site is not located in, or adjacent to a wildland area, and thus is not subject to a significant risk from wildland fires.				
<b>VIII. HYDROLOGY AND WATER QUALITY. -- Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<p>The project site would be serviced by a sewer system that would comply with applicable standards for water quality and waste discharge. The proposed project has a storm water drain that would contribute runoff into San Timoteo Creek Channel; resulting in potentially significant impacts to water quality. Implementation of mitigation measure WQ-1 would reduce impacts to water quality to below the level of significance.</p> <p>Since grading and excavation activities will take place, topsoil, plant materials and other debris may enter the storm drain system; however, the City and the Regional Water Quality Control Board require development projects to implement Best Management Practices (BMPs) to assure that stormwater runoff from roadway surfaces tainted by sediment and petroleum products commonly utilized as construction materials will not reach local drainage channels. BMPs shall be employed to ensure water quality standards and waste discharge requirements are met, and no other degradation of water quality will occur. The developer will be required to implement appropriate BMPs per City and Regional Water Quality Control Board requirements.</p> <p><b>Water Quality Mitigation Measure WQ-1:</b> Prior to the initiation of grading, the developer shall obtain all applicable Army Corps of Engineers and Regional Water Quality Control Board permits for the proposed storm drain connection to San Timoteo Creek Channel. Additionally, the developer shall implement all applicable Regional Water Quality Control Board requirements to minimize impacts to water quality in San Timoteo Creek Channel.</p>				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The future residents of the project will consume approximately 8,400 gallons per day of water (42 residents x 200 gallons per day). This is a negligible amount of water use, and is consistent with the planned growth of the City; therefore no significant impact is expected. The project area is within a core development area of the City and water infrastructure to service the area is already in place. The project proponent must obtain a commitment of service from the local water purveyor prior to recordation of the tract map.</p>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project site will not substantially alter the existing drainage pattern resulting in substantial erosion, siltation, or flooding on or off site. However, during construction, erosion or flooding could occur. These potential adverse effects of construction are only temporary and will be lessened when construction is complete. Implementation of standard BMPs for construction sites, as required by the City, will effectively mitigate potential impacts.</p>				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
The project site would not substantially alter the existing drainage pattern resulting in substantial erosion, siltation, or flooding on or off site. However, while construction is taking place, erosion or flooding could occur. These potential adverse effects of construction are only temporary and would be lessened when construction is complete. Implementation of standard BMPs for construction sites, as required by the City, will effectively mitigate potential impacts.				
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) & f) During construction increased runoff (including pollutants that would not normally occur in the area) is expected to occur. These adverse are only temporary and would be lessened when construction is complete. An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage control during construction. However, implementation of standard BMPs for construction sites, as required by the City, will effectively mitigate potential impacts. The project does not exceed the SB 221 threshold (500 dwelling units); therefore, certification of the 20-year water supply is not required.				
<b>Water Quality Mitigation Measure WQ-2:</b> <ul style="list-style-type: none"> <li>All site drainage shall be handled on-site and shall not be permitted to drain onto adjacent properties.</li> <li>Prior to issuance of grading permits, the applicant shall obtain coverage under the NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence that this has been obtained shall be submitted to the City of Loma Linda Public Works Department.</li> <li>An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage construction and operation.</li> <li>All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters of blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.</li> <li>Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, not no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for <i>ensuring that these measures continue to be effective during the duration of the project construction.</i></li> </ul>				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<p>The project is located within the regional watershed known as San Timoteo Canyon. The primary drainage course is San Timoteo Creek, a regional flood control channel. The General Plan Housing Element (1986) and the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (1996) identify the project site as lying within a 100-year floodplain.</p> <p>The U.S. Army Corps of Engineers (USACE) and the San Bernardino County Flood Control District have improved the creek to a concrete-lined trapezoidal channel. As a result of ongoing flood control improvements, FEMA issued a letter on June 27, 2001, that revises the project area's floodplain rating to a Zone A99. The Zone A99 designation is an interim designation that is used for areas that are protected from the base flood due to a Federal flood-protection system that is under construction. A new floodplain map will be prepared after USACE has certified the improvements to the San Timoteo Creek.</p>				
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project is located within the regional watershed known as San Timoteo Canyon. The primary drainage course is San Timoteo Creek, a regional flood control channel. The General Plan Housing Element (1986) and FEMA's Flood Insurance Rate Map (1996) identify the project site as lying within a 100-year floodplain.</p> <p>USACE and the San Bernardino County Flood Control District have improved the creek to a concrete lined trapezoidal channel. As a result of ongoing flood control improvements, FEMA issued a letter on June 27, 2001, that revises the project area's floodplain rating to a Zone A99. The Zone A99 designation is an interim designation that is used for areas that are protected from the base flood due to a Federal flood-protection system that is under construction. A new floodplain map will be prepared after USACE has certified the improvements to the San Timoteo Creek.</p>				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project site consists of relatively flat terrain. Ongoing improvements to the San Timoteo Creek flood channel will remove the project area from the 100-year floodplain, reducing the potential of flooding or mudflows to less than significant.</p>				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The project is not located near any large bodies of water and is not subject to threats of inundation by seiche or tsunami.</p>				
<b>IX. LAND USE AND PLANNING. -- Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The project will not physically divide an established community. San Timoteo Creek flood control channel bounds the property to the west. Residential development lies to the north, east and west. The project is an infill project that will connect, rather than divide neighborhoods to the north and east.</p>				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The existing General Plan land use designation for the project site is low- density single-family residential (1-4 du/ac). The Draft General Plan Update Land Use Map identifies the proposed area as medium-density residential (5.1-9.0 du/ac). As proposed, the project site will remain single-family residential with a density of approximately 6.4 du/ac. The existing zoning is R-1 (single family residential) and the proposed zoning is PD (Planned Community District) pursuant to Chapter 17.70 of the City Municipal Code.</p> <p>Surrounding land uses include R-1 (single-family residential) to the north, and R-3 (multi-family residential) to the east and south. The minimum lot size for R-1 is 7,200 square feet. Proposed project includes a lot size range of 3,939 to 6,660 SF. Although the proposed project is not consistent with the density limit of R-1 zoning, the PD zone allows for flexibility in development, creative and imaginative design, and the development of parcels of land as coordinated projects involving a mixture of residential densities and housing types, community facilities, both public and private, and commercial areas.</p> <p>The proposed project consists of one- and two-story attached and detached residential units. The land use to the south and east consists of one-story duplex units, and land use to the north consists of one-story detached single-family residential units. The development of the proposed attached and detached units between the existing multi-family (duplexes) and the single-family units creates a transition between the two housing types.</p>				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>This project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The project site consists of disturbed lands and is adjacent to residential land. As no Habitat Conservation Plan or Natural Community Conservation Plan is being proposed or has been established for the area surrounding the project site, no impacts are expected.</p>				
<b>X. MINERAL RESOURCES.</b> -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No loss of valuable mineral resource is expected to occur since the project site is not zoned for mineral extraction. Surrounding land uses would not be consistent with a mineral extraction facility.</p>				
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>No loss of valuable mineral resource is expected to occur since the project site is not zoned for mineral extraction. Surrounding land uses would not be consistent with a mineral extraction facility.</p>				
<b>XI. NOISE.</b> -- Would the project result in:				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
This proposed project would increase noise levels in the area, consistent with single-family residential units. However, these levels would not exceed the standards established in the City of Loma Linda Noise Ordinance (Municipal Code Chapter 9.2).				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
During construction, a temporary rise in the area's noise level will occur; however, this level will not be substantial. While some ground-borne vibration will be created, it too will not be substantial. Thus, the potential for disrupting persons in the vicinity of the project area is minimal. During construction, the project is required to comply with Section 9.20.050 (Prohibited Noises) of the Municipal Code, requiring construction activities to cease between the hours of 10:00 p.m. and 7:00 a.m. No additional mitigation is needed or proposed for short-term noise impacts.				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The development of this proposed project would increase ambient noise levels in the area, however, the noise would be consistent with a residential area and would not result in a substantial increase.				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
During construction, a temporary rise in the area's noise level will occur; however, this level will not be substantial. While some ground-borne vibration will be created, it too will not be substantial. Thus, the potential for disrupting persons in the vicinity of the project area is minimal. During construction, the project is required to comply with Section 9.20.050 (Prohibited Noises) of the Municipal Code, requiring construction activities to cease between the hours of 10:00 p.m. and 7:00 a.m. No additional mitigation is needed or proposed for short-term noise impacts.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The 2004 Thomas Guide, San Bernardino and Riverside Counties Street Guide and Directory, (page 607), identifies the San Bernardino International Airport as located approximately two miles north of the project site. The proposed project site does not fall within the airport influence area and it is not anticipated that the proposed project would expose people residing in the project area to excessive noise.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The 2004 Thomas Guide, San Bernardino and Riverside Counties Street Guide and Directory, (page 607), identifies no private airstrip within two miles of the project site.				
<b>XII. POPULATION AND HOUSING.</b> -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed project is expected to generate approximately 42 new residents (16 units times an average household size of 2.6 persons per household [2000 US Census]). Based on the current population of the City (approximately 19,000 residents), the population increase attributable to the project is less than 0.002 percent and would not result in significant population growth or exceed population projections.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No housing or people are currently located on the project site; therefore, no homes or persons would be displaced.				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No housing or people are currently located on the project site, and, therefore, no homes or persons would be displaced.				
<b>XIII. PUBLIC SERVICES.</b> -- Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<p>The Public Safety Department has reviewed this project, and indicated that it has adequate capability to provide service to the site. A utility improvement plan (indicating locations of fire hydrants) will be required for the project for Public Safety Department review. Additionally, all dwellings will be required to have automatic fire sprinklers.</p> <p><b>Mitigation Measure for Public Service Impacts PS-1:</b></p> <ul style="list-style-type: none"> <li>The developer will be required to install automatic fire sprinklers in all dwelling units, and a utility improvement plan will be required of the developer to show locations of fire hydrants for Public Safety Department review.</li> <li>The developer shall pay development impact fees established for development within the City prior to issuance of building permits.</li> </ul>				
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The San Bernardino County Sheriff's Department which provides policing services to the City, has reviewed the project and has indicated that it has adequate resources to provide services for this project. Therefore, there is no impact.</p>				
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Redlands Unified School District has been notified of this project. The applicant will be required to pay school fees to the District, and therefore services will be provided to all residents in this subdivision.</p> <p><b>Mitigation Measure for Public Service Impacts PS-1:</b> The developer shall pay school fees from the most current fee schedule to Redlands Unified School District prior to issuance of building permits.</p>				
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project will not create a need for additional public services. The proposed project will not adversely impact other publicly maintained facilities due to the limited size and scope of the project. A standard Condition of Approval will require the project proponent to pay City development impact fees. These fees are used for necessary improvements within the area to maintain the system at acceptable levels of service, and to provide for future parks within the City.</p> <p><b>Mitigation Measure for Public Service Impacts PS-1:</b> The developer shall pay development impact fees established for development within the City prior to issuance of building permits.</p>				
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>The project will not create a need for additional public services. The proposed project will not adversely impact other publicly maintained facilities due to the limited size and scope of the project.</p>				
<b>XIV. RECREATION. --</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
The development of 16 housing units will incrementally increase the use of park facilities in the vicinity. However, the applicant will pay impact fees for recreational uses as required by the City. The payment of these fees will reduce impacts to recreational facilities to below the level of significance.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The development project does not include construction of any recreational facilities on the project site. It is not anticipated that other area recreation facilities would be adversely affected.				
<b>XV. TRANSPORTATION/TRAFFIC.</b> -- Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) & b) According to the Traffic Study (Appendix C), the project would generate approximately 193 ADT with 20 peak-hour trips in the morning and 21 peak-hour trips in the afternoon. There are no project impacts at the signalized study intersections. However, the addition of project related traffic will cause a reduction in Level of Service at the two unsignalized study intersections, causing one to decline below the City's minimum performance standard of LOS D, and one to decline from an LOS E to an LOS F.				



ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<p>a) &amp; b) At the Redlands Boulevard/Poplar Street intersection, project traffic is being added to an already deficient intersection. Although the project will add some delay to the northbound movement, the impact would not be considered significant. At the intersection of Mountain View Avenue/Lane Street the LOS worsens from D to E in the morning peak-hour. The project adds a small amount of delay to the intersection, but would not be considered as significant. Therefore, the 16 single-family residential homes will not have a significant impact at any of the study intersections. Implementation of Mitigation Measure TT-1 will reduce these potential impacts to less than significant levels.</p> <p><b>Mitigation Measure for Transportation/Traffic Impacts TT-1:</b></p> <ul style="list-style-type: none"> <li>The developer shall make a fair share contribution to provide additional striping to the northbound leg of the Redlands Boulevard/Poplar Street intersection to reconfigure the approach to include one exclusive left turn lane and one right turn lane. This would improve the LOS to "B" (14.9 second delay) in the morning peak hour and would maintain LOS "E" (45.4 second delay) in the afternoon peak hour. This measure shall be implemented to the satisfaction of the Public Works Director, prior to issuance of the first occupancy permit.</li> <li>The developer shall make a fair share contribution to the signalization of Redlands Boulevard /Poplar Street with the existing lane configuration. This will result in LOS "A" during both peak hours. This measure shall be implemented to the satisfaction of the Public Works Director, prior to issuance of the first occupancy permit.</li> <li>The developer shall make a fair share contribution to the signalization of Mountain View Avenue/Lane Street with the existing lane configuration. This will result in LOS "A" during both peak hours. This measure shall be implemented to the satisfaction of the Public Works Director, prior to issuance of the first occupancy permit.</li> </ul>				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>The 2004 <i>Thomas Guide, San Bernardino and Riverside Counties Street Guide and Directory</i>, (page 607), identifies the San Bernardino International Airport as located approximately 2 miles north of the project site. Therefore, the proposed project will not significantly increase air traffic levels in the development area.</p>				
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
No traffic hazards will be created by the construction of project access points.				
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The proposed project will not result in inadequate emergency access. As part of the project, Lane Street, State Street, and Lilac street will be joined by a through street.				
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dwelling units will have a driveway and garage for residential parking. The provided parking spaces would exceed the required parking spaces.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The development will not conflict with adopted policies, plans, or programs supporting alternative transportation.				
<b>XVI. UTILITIES AND SERVICE SYSTEMS. -- Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The development will connect to an existing sewer system to control and manage the wastewater that it creates; therefore, it will not exceed wastewater treatment requirements set forth by the Regional Water Quality Control Board.				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The development will be served by the existing wastewater treatment facilities. Proof of service capacity will be presented to the City prior to recordation of the final tract map.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The development will be served by the existing storm water drainage facilities. Proof of service capacity will be presented to the City prior to recordation of the final tract map.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new and expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The future residents of the project will consume approximately 4,200 gallons per day of water (42 residents x 100 gallons per day). The project is far below the SB 221/610 threshold (i.e. 500 units), and does not require a water certification study. Sufficient water supplies are available from existing entitlements and resources.				
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The City provides wastewater services through its existing sewer system. Wastewater is treated at the City of San Bernardino facilities and the project's impacts will not exceed current design capacity of the existing water treatment facilities. Proof of service capacity will be presented to the City prior to recordation of the final tract map.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Curbside service is currently provided to City residences through a contract with Waste Management Inc. The development will be served by a County of San Bernardino landfill, and will have a negligible impact on the capacity of the landfill. Solid waste handling and disposal operations will comply with federal, state and local statutes related to solid waste.				
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Curbside service is currently provided to City residences through a contract with Waste Management Inc. The development will be served by a County of San Bernardino landfill, and will have a negligible impact on the capacity of the landfill. Solid waste handling and disposal operations will comply with federal, state and local statutes related to solid waste.				
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE. --</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The project site is currently highly disturbed and will not impact any sensitive species. No paleontological, prehistoric or historic archaeological, or cultural sites are expected to occur within the project site, and the project will conform with guiding policies of the Conservation and Open Space Element; therefore, the project will not adversely impact any examples of the major periods of California history or prehistory.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Although any impacts to air and water quality would add to the cumulative conditions, the project is consistent with local land uses and the General Plan. Therefore the impacts are not considered to be cumulatively considerable.				

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project does not have an environmental effect which would cause substantial adverse effects on human beings, either directly or indirectly.				

### **3.0 BIBLIOGRAPHY**

#### City of Loma Linda

- 1986 General Plan, Circulation Element
- 1997 Adopted General Plan Land Use Element Map
- 1973 Adopted General Plan Document
- 2004 Draft General Plan
- 1981 Adopted Municipal Code

#### County of San Bernardino General Plan

Kimley-Horn and Associates, Inc.  
August 17, 2004. Traffic Impact Analysis

Michael Brandman Associates  
February 2003, Air Quality Impact Report  
January 2004, Biological Constraints Analysis

Rand McNally  
2004, San Bernardino & Riverside Counties Street Guide

State Water Resources Control Board (SRWCB)  
National Pollutant Discharge Elimination System (NPDES) General Permit for Storm  
Water Discharges Associated with Construction Activity (General Permit)

U.S. Department of Agriculture, Soil Conservation Service  
January 1980, Soil Survey of San Bernardino County, Southwestern Part, California

U.S. Geological Service  
1967, San Bernardino South 7.5" Topographic Quadrangle

## **Attachment B**

**General Plan Amendment No. 03-02  
Council Bill Resolution No. 2005-23**

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LOMA LINDA, AMENDING THE LAND USE ELEMENT OF  
THE ADOPTED GENERAL PLAN (GPA NO. 03-02)

WHEREAS, the City of Loma Linda has adopted a Land Use Element of the General Plan in accordance with State Planning and Zoning law; and

WHEREAS, the Applicant has requested a General Plan Amendment from Low Density Residential R-1 (1 to 4 dwelling units per acre) designation to Medium Density Residential (5.1 to 9 dwelling units per acre) in the North Central Neighborhood, adjacent to the San Timoteo Creek Channel and accessed from the current terminus of Lilac and Lane Streets, and consisting of approximately 2.5 acres; and

WHEREAS, the General Plan Amendment request is accompanied by a Tentative Tract Map request to subdivide 2.5 acres into 16 single-family lots; and

WHEREAS, the City Council finds that the General Plan Amendment would be consistent with general goals and objectives of the Land Use Element Policies and other elements of the General Plan, and would allow appropriate land uses for the subject site based on its location, topography and surrounding land uses and its compatibility with other portions of the Land Use Element in the vicinity; and

WHEREAS, the public hearings have been held as provided by law, and other formalities required by law for amending the General Plan have been met; and

WHEREAS, said amendment was reviewed by the Planning Commission at a duly noticed public hearing; and

WHEREAS, the City Council has reviewed and adopted a Mitigated Negative Declaration of Environmental Impact based on a determination that potential impacts can be mitigated to a level of insignificance pursuant to conditions of approval;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Loma Linda that the adopted land Use Element of the General Plan has hereinbefore been amended per Exhibit "A" attached hereto and made a part hereof, in the following manner:

That area generally described as approximately 2.5 acres located adjacent to the San Timoteo Creek Channel and accessed from the terminus of Lilac and Lane Streets AMENDING THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL R-1 (1 TO 4 DWELLING UNITS PER ACRE) TO MEDIUM DENSITY RESIDENTIAL (5.1 TO 9 DWELLING UNITS PER ACRE)

BE IT FURTHER RESOLVED that those exhibits comprising the General Plan shall be amended to show the change in land use as above mentioned, and that the City Clerk shall maintain three copies of the amended General Plan available for loan to the public.

PASSED, APPROVED AND ADOPTED this 24th day of May 2005 by the following vote:

Ayes:  
Noes:  
Abstain:  
Absent:

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Floyd Petersen, Mayor

ATTEST:

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Pamela Byrnes-O'Camb, City Clerk



**TENATIVE TRACT 15738  
PROPOSED PLANNED DEVELOPMENT STANDARDS**

**APN: 283-215-005, 006**

1. Project Description:

The project consists of 16 single-family one and two-story residential dwelling units on approximately 2.5 acres of land. The project is located in a Planned Community Zoning District and is considered a small lot subdivision. The residences are a mixture of attached and detached units and include more than 40,000 square feet of open space. The lots range from 4,000 square feet to 6,660 square feet with an average of 5,363 square feet. The Development shall be in compliance with Chapter 17.70 PC Zone of the City of Loma Linda Development Codes.

The project has a maximum density of approximate 6.5 dwelling units per acre. Each unit would include a two-car garage with two parking spaces, front porch and rear patio area.

2. Project Location:

The proposed project is located in the City of Loma Linda, San Bernardino County south of Interstate 10, east of Anderson Street, and west of Mountain View Avenue. It is bounded by Lilac Street to the north, State Street to the east, Lane Street to the south, and San Timoteo Creek Channel to the west. Residential development surrounds the site to the north, east, and south, and San Timoteo Creek.

3. Project Goals:

Sal Gottuso and Associates (SGA) objective to develop the blighted vacant land to provide a community that promotes healthy living, a development design that promotes neighborhood interaction, a pedestrian friendly environment, and an enjoyable place to live. The project will definitely enhance the surrounding neighborhood that will at the same time compliment the City of Loma Linda.

The Riverbend project is intended to help meet the affordable housing needs of the City of Loma Linda. The target homeowners are the moderate income citizen that will enjoy living in a community that front lawn landscape maintenance will be provided by the proposed homeowners association.

4. Maximum Building Height and Minimum Setback:

Maximum building height is 25 feet.

Along perimeter site boundaries adjacent to existing residentially zoned property, the building setback shall be 5 feet minimum.

Plan 6 – 3 Bedrooms:	Living Area	1,855 SF
Single Story	1 <sup>st</sup> Floor plus Garage	2,255 SF
	Porch	20 SF
	Patio	0 SF

D. Maximum Development Area:

The building coverage of the Planned Development is 0.75 acres net (32,708 SF), 30% of the total site area.

E. Minimum Development Area:

The site upon which the Planned Development is proposed is 2.46 acres gross. The site is an infill parcel, utilizing all available contiguous vacant parcels.

F. Setbacks and Building Separation:

Minimum setback from back of sidewalk – 15 feet  
 Minimum setback from Flood Control right-of-way – 10 feet  
 Minimum setback from project boundary – 5 feet  
 Minimum building separation – zero or 10 feet

G. Offstreet Parking:

Each unit shall have an attached two-car garage for resident parking.

H. Usable Open Space:

Open space for leisure and aesthetic enjoyment of each of the residents of the Planned Development is provided for each dwelling unit. The site and open space data is summarized on the following table.

Item	square feet	acres
Patio/Private Open Space	48,222	1.10
Driveways	5,981	0.11
Building Coverage	32,708	0.75
Right-of-way Dedication	20,418	0.47
Total Site Area	107,329	2.46

The Planned Development will include front yard landscaping which will be maintained by the HOA. In addition, the project market is directed toward moderate income/first-time home-buyers and move up buyers. Therefore, the objective is to minimize the ongoing maintenance cost.

I. Landscaping:

The front yard will be landscaped and provided with permanent irrigation system. The landscape concept is focused on defining and encouraging individual yard maintenance, while establishing a unified front yard appearance. Fencing will be used to define individual space for each of the lots.

# **Attachment C**

**Zone Change No. 03-02  
Council Bill Ordinance No. 2005-05**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LOMA LINDA FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO PLANNED COMMUNITY (PC) FOR THAT AREA IN THE NORTH CENTRAL NEIGHBORHOOD ADJACENT TO THE SAN TIMOTEO CREEK CHANNEL AND ACCESSED FROM THE TERMINUS OF LILAC AND LANE STREETS (ZONE CHANGE 03-02)

**Section 1. Adoption of Ordinance:** The City Council of the City of Loma Linda, California, does hereby ordain as follows:

**Section 2. Statement of Intent:** It is the purpose of the Ordinance to amend various zoning designations in this City and adopt a revised Zoning Map.

**Section 3. Amendment of Zoning Designation:** The zoning of the City of Loma Linda is hereby amended to change the following described property within the City of Loma Linda from R-1 Residential to Planned Community (PC) zoning per Exhibit "A" attached hereto and made a part hereof:

That property generally described as approximately 2.5 acres lying adjacent to the San Timoteo Creek Channel and accessed from the terminus of Lilac and Lane Streets.

Said property shall be subject to the provisions of the development plan approved by the Planning Commission and City Council and PC zoning text per Exhibit "B" attached hereto and made a part hereof.

**Section 4. Validity.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such holding or holdings shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Ordinance No.  
Page 2

**Section 5. Posting.** Prior to the expiration of fifteen (15) days from its passage, the City Clerk shall cause this Ordinance to be posted pursuant to law in three (3) public places designated for such purpose by the City Council.

This Ordinance was introduced at the regular meeting of the City Council of the City of Loma Linda, California, held on the \_ day of \_\_\_\_\_ 2005, and was adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2005 by the following vote to wit:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Floyd Petersen, Mayor

Attest:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk

Ordinance No.

# **Attachment D**

**Tentative Tract Map No. 15738**

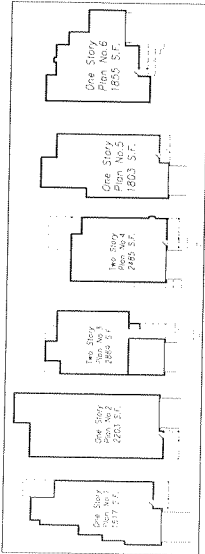
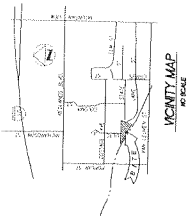


# DESIGN ALTERNATIVE

## TENTATIVE TRACT NO. 15738

A SUBDIVISION OF A PORTION OF LOT 15, BLOCK 75 PER MAP OF RANCHO SAN BERNARDINO, IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7, PAGE 2, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

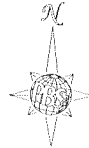
APN: 283-215-005.006



BUILDING FOOTPRINTS N.T.S.

LOT NO.	LOT AREA	EST. AREA	EST. AREA	EST. AREA
1	41.18 SF	1917 SF	538	4.18
2	45.99 SF	2603 SF	538	4.18
3	47.18 SF	1844 SF	538	4.18
4	45.60 SF	1844 SF	422	3.42
5	42.02 SF	1844 SF	422	3.42
6	42.02 SF	1844 SF	422	3.42
7	42.02 SF	1844 SF	422	3.42
8	42.02 SF	1844 SF	422	3.42
9	42.02 SF	1844 SF	422	3.42
10	42.02 SF	1844 SF	422	3.42
11	42.02 SF	1844 SF	422	3.42
12	42.02 SF	1844 SF	422	3.42
13	42.02 SF	1844 SF	422	3.42
14	42.02 SF	1844 SF	422	3.42
15	42.02 SF	1844 SF	422	3.42
16	42.02 SF	1844 SF	422	3.42
17	42.02 SF	1844 SF	422	3.42
18	42.02 SF	1844 SF	422	3.42
19	42.02 SF	1844 SF	422	3.42
20	42.02 SF	1844 SF	422	3.42

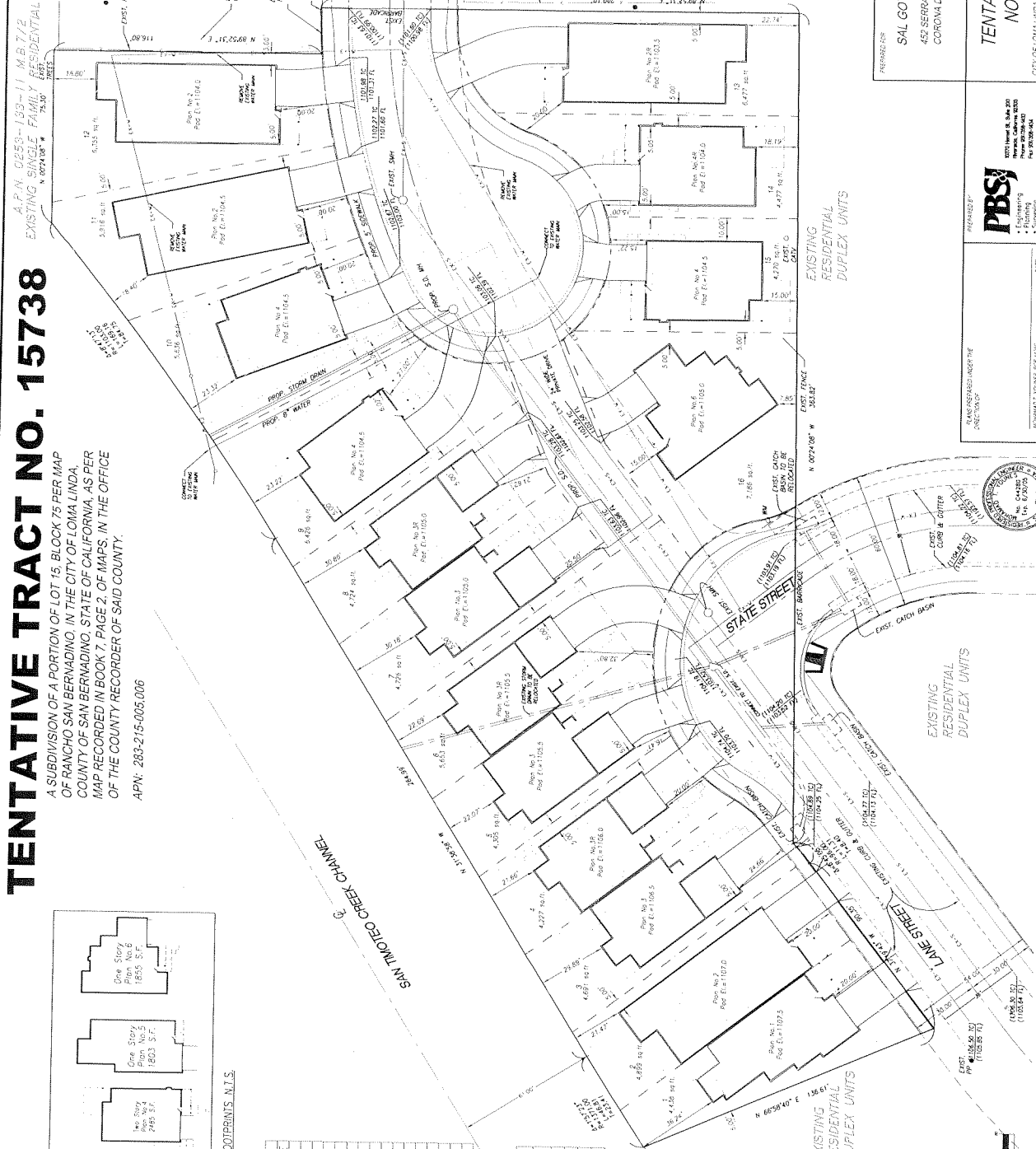
ITEM	QUANTITY	UNIT PRICE	TOTAL
PAVING / FINISH DRIVE SPACE	28,836	0.87	25,088.32
PAVING / FINISH DRIVE SPACE	1,808	0.17	307.36
BUILDING CHARGES	24,444	0.78	19,066.32
PAVING / FINISH DRIVE SPACE	24,444	0.55	13,444.20
TOTAL, NET AREA	102,209	2.46	251,946.20



GRAPHIC SCALE



APN: 085-133-11, MB 712  
EXISTING SINGLE FAMILY RESIDENTIAL



SAL GOTTUSO & ASSOCIATES  
453 SERRA DRIVE  
CORONA DEL MAR, CALIFORNIA 92625

TENTATIVE TRACT  
NO. 15738  
SHEEP  
CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO  
STATE OF CALIFORNIA

PREPARED BY  
**PBS**  
10000 N. 100th St., Suite 200  
Portland, OR 97203  
• Planning  
• Engineering  
• Construction Services

DATE  
APPROVED BY  
DATE



STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
CITY OF LOMA LINDA

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# **Attachment E**

## **Conditions of Approval**

**CONDITIONS OF APPROVAL**  
**GENERAL PLAN AMENDMENT NO. 03-02**  
**ZONE CHANGE NO. 03-02**  
**TENTATIVE TRACT MAP 15738**  
**PRECISE PLAN OF DESIGN NO. 04-08 AND**  
**DEVELOPMENT AGREEMENT**

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall also apply:

**1. COMMUNITY DEVELOPMENT DEPARTMENT**

- 1.1 Within two years of this approval, the Tentative Tract Map shall be exercised or the permit/approval shall become null and void. These subdivisions shall be granted an extension of time for up to the ten (10) year term of the Development Agreement.

PROJECT:

TENTATIVE TRACT MAP (TTM) 03-02 (15738)  
DEVELOPMENT AGREEMENT

EXPIRATION DATE:

April 6, 2007  
April 6, 2015

- 1.2 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 1.3 The proposed small lot, Planned Community subdivision shall conform to all provisions of Title 16 Subdivisions of the Loma Linda Municipal Code (LLMC).
- 1.4 All of the terms specified in the Development Agreement shall be made conditions of this project.
- 1.5 Mitigation Measures listed in the Mitigated Negative Declaration shall be made conditions of this project.
- 1.6 The project and future development and/or improvements shall conform to the approved River Bend Estates Planned Community Document.

- 1.17 Final street light style and specifications shall be included in the working drawings, subject to review and approval of the Community Development Department prior to issuance of permits for the production homes.
- 1.18 If appropriate, garage doors shall be installed that are more in keeping with a carriage door style. Review and approval shall be required by the Community Development Department.
- 1.19 The mailbox kiosks shall be architecturally enhanced. The final mailbox architectural details indicating color and exterior treatment shall be included in the working drawings, subject to review and approval of the Community Development Department to issuance of permits for the production homes.
- 1.20 The siding at the front elevation of Plan 1, shall be extended back to the proposed side yard fence on the garage side of the house.
- 1.21 The siding shown at the front elevation of Plan 2 shall be extended back to the proposed side yard fence on both sides of the house for the detached Plan 2 units and the garage side of the attached Plan 2 unit.
- 1.22 The wood siding shown at the front elevation of Plan 3 shall be extended back to the proposed side yard fence on the garage side of the house at the first floor.
- 1.23 The siding shown at the front elevation on Plan 6 shall be extended along the front of the garage to the proposed side yard fence on the garage side of the house.
- 1.24 The applicant will work with staff to provide more windows on the exterior to address blank exterior design concerns.
- 1.25 Second story windows at the rear of the Plan 4 model plotted for Lot 14 &15, shall be designed to address privacy concerns for adjacent single story properties.

### **Landscaping**

- 1.26 As per the Migratory Bird Treaty Act and CDFG Codes, removal of any trees, shrubs, or any other potential nesting habitat, should be conducted outside the nesting season. The nesting season generally occurs between early February through August, but can vary slightly from year to year. If trees are to be removed during the nesting season, immediately prior to grading, the project proponent should have a breeding bird survey conducted by a qualified biologist to identify any potential nesting activities. This survey shall be submitted to the Community Development Department prior to issuance of rough grading permits during the time specified above. Trees should be saw cut and removed outside the breeding

- 1.37 The developer shall provide landscaping for the front yard, exterior side yard and rear yards outside of the fence for each dwelling unit and shall also provide landscaping for all common areas including parkways.
- 1.38 The private driveway allowing access to Lot 7, 8, and 16 shall have a stamped concrete design.
- 1.39 The private drive off of the Lilac Street cul-de-sac shall be designed to accommodate a pedestrian easement to State Street in order to provide neighborhood connectivity.
- 1.40 The private drive off of Lilac Street shall be designed with some sort of barrier (i.e. bollards) to prevent vehicular access to State Street.
- 1.41 The fence/wall plan shall include placement of a decorative, three (3') foot block wall along the southern boundary of Lots 7 and 16.

#### **Noise**

- 1.42 Indicate the location of air conditioner condensers in the yards and address the noise level issues according to City of Loma Linda Noise Ordinance.
- 1.43 The interior noise standard of 45 dBA is to be met in all units with windows closed. Therefore, ventilation is needed per the Uniform Building Code standards in order to provide a habitable environment with windows closed.
- 1.44 Interior sound absorption within the units should be achieved with carpet (having a minimum 5/16" thick pile) and pad in all habitable rooms, with the exception of kitchens and bathrooms.
- 1.45 Exterior walls at all units should be constructed with gypsum wallboard interior, 7/8" stucco exterior, with minimum R-13 insulation batts between the studs. All joints should be well fitted and/or caulked to form an airtight seal.
- 1.46 During construction of the site, the project shall comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that exterior construction activities and any interior construction activities that would effect exterior noise levels cease between the hours of 6:00 p.m. to 7:00 a.m.

#### **Cultural Resources**

- 1.47 If human remains are discovered during construction activities, all work in the area shall be suspended and the San Bernardino County Coroner shall be notified of the discovery. Work shall not resume until the Coroner has approved resumption of activities.

- 3.3 At the time of Final Tract Map submittal, include the following: Traverse calculations (sheets), copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. The traverse calculation sheets to show error of closure. Inverse calculations will not be acceptable for plan check review.
- 3.4 Provide to the maximum extent practicable, for the recycling and reuse of construction and demolition debris. The City of Loma Linda C & D policy applies, a reuse/recycle plan is required with periodic disposal/recycle/reuse reports. A progress report is required prior to release of any temporary or final certificate of occupancy. A concrete washout area shall be provided and maintained.

**Soils/Geology/Grading**

- 3.5 Submit grading plans, preliminary soils report and hydrology/hydraulic study to the Public Works Department for review and approval. The precise grading plan for the project must be approved prior to issuance of any building permits. NPDES regulations apply. A copy of your approved SWPPP and NOI issued by the State Water Resources Control Board shall be submitted to the Public Works Department.
- 3.6 Submit and obtain Public Works Department approval of an erosion/sediment control plan to minimize potential increases in erosion and sediment transport during short-term construction and long-term operational activity prior to issuance of any grading or building permits.
- 3.7 Dust control will be made a condition of the grading plans for this project.
- 3.8 Submit structural design and location for any required walls for review by the Building and Safety Department.
- 3.9 Submit geology report, prepared by a licensed engineering geologist, filed with and approved by the Public Works Department prior to recordation. The report shall include a specialized soil report(s) due to the liquefaction potential and implement the recommendation of the Geotechnical Investigation Report prepared by CHJ Inc., dated January 23, 2004, into the project development. Submit deposit to cover the costs of the review with the report(s). An additional deposit may be required or a refund issued when the costs do not match the deposit. Pay review costs in full prior to recordation of the Final Map.
- 3.10 Soil sampling and analysis of visibly stained soils will be conducted prior to any grading or earthmoving activities. Certification that this work has been completed by a licensed engineering geologist, filed with and approved by the Public Works Department, shall be provided prior to the issuance of any grading permits. Any soil

date stamped January 24, 2005, and on file with the City of Loma Linda Community Development Department.

- 3.20 Corner cutoffs at all right-of-way lines in accordance with the City standards.
- 3.21 Street light locations are to be approved by the City of Loma Linda. Streetlights shall be installed and energized prior to release for occupancy for any houses.
- 3.22 Any streets damaged as a result of new services will be repaired as required by the Public Works Department.
- 3.23 Provide adequate corner sight distance per Caltrans standards at intersection and submit verification of same to the Public Works Department as required in conjunction with plan checking of the street improvement plans.
- 3.24 Install street name signs and traffic control signs with locations and types approved by the Public Works Department.
- 3.25 "Record Revisions" made to all plans to reflect the changes to the improvements as constructed.
- 3.26 Slurry seal prior to final bond release or a cash payment made in lieu of slurry seal, after all houses are constructed.
- 3.27 Submit a thorough evaluation of the structural road section, from a qualified soil engineer, to the Public Works Department. Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3-1/2" A.C./6" C.A.B. for local streets and 4" A.C./6" C.A.B. for collector streets. The Public Works Department will provide the traffic index.
- 3.28 Design public improvements including sidewalk, drive approaches and handicap ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code.

#### **Dedication**

- 3.29 An easement shall be recorded for the habitat areas adjacent to San Timoteo Channel for the purposes of maintaining trees to assist in the migration of avian habitat. Removal of trees or construction within this easement area shall be reviewed and approved by the Community Development Department.
- 3.30 Public utility easements shall be dedicated to cover all utilities either by map or separate document.

- 3.41 All lots shall drain to streets. All additional drainage due to development shall be mitigated on-site, no cross lot drainage will be allowed unless suitable easements are provided. A Water Quality Management Plan is required to address on-site drainage construction and operation.
- 3.42 Proposed development falls within those areas indicated as subject to flooding under the National Flood Insurance Program. This development will be subject to the provisions of that program, and the City's Flood Plain Ordinances.
- 3.43 Provide adequate City of Loma Linda Drainage Easements (minimum fifteen [15] feet wide) over the natural drainage courses and/or drainage facilities. Design easements to contain the 100-year frequency storm flow plus bulking and freeboard per approved City criteria.
- 3.44 Provide engineered plans for all drainage improvements, to the Public Works Department for approval prior to any construction activity.
- 3.45 A complete hydrology study and hydraulic calculations shall be submitted for review and approval by the Public Works Department.
- 3.46 All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters of blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
- 3.47 Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, not no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.

### ***Utilities***

- 3.48 Sewage connection to be to the City of Loma Linda system.
- 3.49 City of Loma Linda to be water purveyor.

recyclable/reusable materials and recycling vendors. Provide a report of materials recycled/reused; report to include type of materials and quantities of materials recycled/reused.

- 3.63 Prior to construction of the proposed improvements, the project proponent will provide a traffic control plan that will describe in detail safe detours around the project construction site and provide temporary traffic control (i.e. flag person) during demolition debris transport and other construction related truck hauling activities.
- 3.64 During construction of the proposed improvements, construction equipment will be properly maintained at an offsite location and includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction.
- 3.65 During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than ten minutes.
- 3.66 During construction of the proposed improvements, only low volatility paints and coatings as defined in SCAQMD Rule 1113 shall be used. All paints shall be applied using either high-volume, low-pressure (HVLP) spray equipment or by hand application.
- 3.67 The site shall be treated with water a minimum of twice per day, or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM<sub>10</sub> emissions, in accordance with SCAQMD Rule 403.
- 3.68 Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM<sub>10</sub> emissions from the site during such episodes.

#### 4. FEES/PERMITS/BONDING

- 4.1 Within forty-eight (48) hours of approval of the subject project, the applicant shall deliver to the Community Development Department, check or money order made payable to the **COUNTY OF SAN BERNARDINO** in the amount of \$35.00 (*thirty five dollars*) to enable the City to file the appropriate environmental documentation for the project. If within such forty-eight (48) hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.
- 4.2 Pay appropriate fees for plan check, inspection, GIS map plan update, and microfilming and storage of maps and plans, and other required fees.



- A. Since the City is interested in protecting the public health and safety and ensuring the quality and maintenance of common areas under control of a Homeowner's Association, the City shall be included as a party to the CC&Rs for enforcement purposes of those CC&R provisions in which the City has interest, as reflected by the following B through M. However, the City shall not be obligated to enforce the CC&Rs.
- B. The requirement that Homeowner's Association bylaws be established.
- C. Provisions for effective establishment, operation, management, use, repair and maintenance of all common areas and facilities including pool areas, recreational facilities, parks, landscaped areas and lots, trails, pathways, walls and fences and paseos.
- D. Membership in any Homeowner's Association shall be inseparable from ownership in individual dwelling units.
- E. Architectural controls shall be provided and may include but not be limited to provisions regulating exterior finishes, roof materials, fences and walls, accessory structures such as patios, sunshades, trellises, gazebos, awnings, room additions, exterior mechanical equipment, television and radio antenna.
- F. Maintenance standards shall be provided for applicable items listed in Section C above in CC&Rs. Examples of maintenance standards are shown below:
  - (1) All common area landscaping and private lawn areas visible from any public way shall be properly maintained such that they are evenly cut, evenly edged, free of bare or brown spots, free of debris and free of weeds above the level of the lawn. All planted areas other than lawns shall be free of weeds, dead vegetation and debris. All trees and shrubs shall be trimmed so they do not impede pedestrian traffic along the walkways. All trees shall also be root pruned to eliminate exposed surface roots and damage to sidewalks, driveways and structures.
  - (2) Common areas shall be maintained in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to public health, safety or general welfare, or that such a condition of deterioration or disrepair cause harm or is materially detrimental to property values or improvements within the boundaries of the subdivision

# **Attachment F**

**Development Agreement  
Council Bill Ordinance No. 2005-06**

RECORDING REQUEST BY, AND  
WHEN RECORDED, MAIL TO:

City Clerk  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354

---

EXEMPT FROM FILING FEES. CAL. GOV'T CODE § 6103  
(Space above this line for Recorder's use)

**DEVELOPMENT AGREEMENT**

**BETWEEN**

**SGA LOMA LINDA ESTATES, L.P.**

**AND**

**THE CITY OF LOMA LINDA**

*(Pursuant to California Government Code Sections 65864 – 65869.5  
and City of Loma Linda Ordinance No. \_\_\_\_)*

February \_\_, 2005

Tentative Tract No. 15738-TT

development of Owner's development project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and

WHEREAS, on \_\_\_\_\_, 200\_, the Planning Commission of the City of Loma Linda (the "Planning Commission"), after giving notice pursuant to Government Code Sections 65854, 65854.5 and 65856, held a public hearing on Owner's application for this Agreement. On \_\_\_\_\_, 200\_, the City Council of the City of Loma Linda (the "City Council"), after providing public notice as required by law, similarly held a public hearing to consider Owner's application for this Agreement; and

WHEREAS, the Planning Commission and the City Council have found that this Agreement and the Project contemplated hereby are consistent with the General Plan, the approved tentative map, related project approvals and all other applicable plans, rules, regulations and official policies of City; and

WHEREAS, in accordance with the requirements of CEQA (Public Resources Code Sections 21000 et seq., appropriate studies, analyses, reports or documents were prepared and considered by the Planning Commission and the City Council. After the Planning Commission and the City Council made appropriate findings, the City Council certified, by Minute Order No. LL-200\_-\_\_\_\_ adopted on \_\_\_\_\_, 200\_, a Mitigated Negative Declaration (the "Environmental Clearance") for the Project in compliance with CEQA; and

WHEREAS, on \_\_\_\_\_, 2005, the City Council adopted Ordinance No. \_\_\_\_\_ (the "Ordinance") approving this Agreement with Owner.

### **COVENANTS**

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

#### **1. DEFINITIONS.**

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agency" means the Loma Linda Redevelopment Agency and the City as its successor in interest.

1.1.2 "Agreement" means this Development Agreement.

1.1.3 "City" means the City of Loma Linda, a political subdivision of the State of California.

1.1.4 "City Council" means the City Council of the City of Loma Linda.

1.1.5 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of residential dwelling units,

specifications applicable to the development of the Property. "Land Use Regulations" does not include any City ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) The conduct of businesses, professions, and occupations;
- (b) Taxes and assessments;
- (c) The control and abatement of nuisances;
- (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
- (e) The exercise of the power of eminent domain.

1.1.13 "Owner" means the persons and entities listed as Owner on page 1 of this Agreement and their successors in interest to all or any part of the Property.

1.1.14 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.15 "Project" means the development of the Property contemplated by the Development Plan as defined herein as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.16 "Property" means the real property described on **Exhibit "A"** to this Agreement and made a part herein by this reference.

1.1.17 "Subsequent Development Approvals" means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.18 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

## 2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out in accordance with the terms of this Agreement.

2.2 Ownership of Property. Owner represents and covenants that it is the Owner of the fee simple title to the Property.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for a period of seven (7) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. Owner shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property prior to the Entitlements approved in connection with this Agreement. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below, or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to City:

City of Loma Linda  
Attn: City Clerk  
25541 Barton Road  
Loma Linda, CA 92354  
Facsimile: (909) 799-2890

With copies to:

Stradling Yocca Carlson & Rauth  
Attention: Mark J. Huebsch, Esq.  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660  
Facsimile: (949) 725-4100

and

Director of the Community Development Department  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354  
Facsimile: (909) 799-2890

otherwise provided by this Agreement including the Reservations of Authority. Unless otherwise required by law, as determined in City's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or
- (b) Increase the density or intensity of use of the Property as a whole; or
- (c) Increase the maximum height and size of permitted buildings; or
- (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or
- (e) Constitute a project requiring a subsequent or environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.5 Fiber Optic Network Installation. If, and to the extent, Owner constructs and/or installs a fiber optic network ("**the Network**") throughout all or a portion of the Project, Owner shall be subject to the following terms and conditions:

(a) The Network shall be installed exclusively in easements dedicated to the City and/or dedicated for public utility compatible uses and purposes. To the extent that Owner installs the Network, or any portion thereof, in locations which have not been dedicated to the City and/or dedicated for public utility compatible uses and purposes, it shall provide a dedicated easement to the City coterminous with the location of the Network.

(b) The property in which the Network, or any portion thereof, is located shall be deemed "public rights-of-way" within the meaning of Section 621 of the Cable Communications Policy Act of 1984, as amended.

(c) Owner shall join Underground Alert and provide proper notification pursuant thereto in the event of any excavation relating to the Network.

(d) Owner shall install, at its sole expense, a separate conduit of no less than three (3) inches in diameter in all locations where the Network is located which separate conduit shall be dedicated to the City for its exclusive use (the "**City Conduit**"). Owner shall, in addition, install and dedicate sufficient connection points, manholes, potholes, and other appurtenances as designated by the City in writing to allow the City to reasonably access and utilize the City Conduit.

(e) Owner shall install and dedicate to the City, at its sole cost, twelve (12) strands of unactivated dark fiber throughout the entirety of the Network for remote water meter reading purposes and other municipal purposes (the "**City Fiber**"). The City Fiber shall be connected to all residential units and business establishments located within the Project and shall be accessible to the City from a central location to be designated by the City in writing.

(f) In the event that the Owner, or any successor or assignee thereof, intends to provide or does provide any form of video services on the Network, it shall apply

3.7 Referenda and Moratorium. It is the express intent of City and Owner that as of the date of this Agreement, this Agreement is a legally binding contract which shall, to the extent permitted by law, prevail over the provisions of any subsequently enacted moratorium, statute, ordinance, limitation or other measure, whether or not enacted by City, or by voter initiative or referendum, and whether or not such initiative, moratorium, referendum, statute, ordinance, limitation or other measure relates, in whole or in part, to the rate, timing, sequencing or phasing of the development or construction of all or part of the Project or the Development Plan or affects Development Approvals which are issued by City.

In the event any initiative, moratorium, referendum, statute, ordinance, limitation or other measure is enacted subsequent to the Effective Date that would otherwise modify the development rights vested pursuant to this Agreement, Owner reserves the right to challenge any such enactment in a court of law should it become necessary to protect the development rights vested in Owner pursuant to the terms and conditions of this Agreement. Should any initiative or referendum be enacted which would preclude or make not feasible construction of all or any part of the Project, and should such enactment be determined by a court of competent jurisdiction to invalidate or prevail over all or any part of this Agreement, Owner shall have no recourse against City for any damage Owner might sustain as a result thereof so long as the City did not participate in nor support any such initiative or referendum, except City shall provide for and timely implement an equitable program to reimburse Owner for unused fees and for an equitable reimbursement for Public Improvements or fees theretofore made but not required by the extent of development as of the date of the enactment.

3.8 Exactions. All further applications for Development Approvals contemplated by this Agreement, or made in connection with the development, construction, use or operation of the Project hereunder, shall be processed in accordance with the Existing Rules and the standards, terms and conditions of this Agreement, except that (a) City shall not impose thereunder any further Exactions other than those called for under the Existing Approvals and/or as permitted under the provisions of this Agreement, and (b) such applications and Development Approvals thereunder shall not result in the imposition upon Owner of any additional requirements, other than those already imposed pursuant to the Development Approvals, or otherwise permitted under the provisions of this Agreement.

3.9 Tentative Subdivision Map Extension. Tentative subdivision map(s), heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time for up to the seven (7) year term of this Agreement.

3.10 City Fees.

3.10.1 Payment of Fees. Owner shall pay all City administrative, permit processing and other city-wide imposed development fees in accordance with the master City Fees Schedule in effect at the time fees are paid.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs which will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on Owner which should be balanced by commensurate public benefits. Accordingly, the parties intend to provide



(b) A statement as to whether or not City proposes to terminate or to modify the Agreement; and

(c) Such other information as is reasonably necessary to inform Owner of the nature of the proceeding.

5.4 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, Owner shall be given an opportunity to be heard. Owner shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. If the City Council finds, based upon substantial evidence, that Owner has not complied in good faith with the terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the City. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the California Code of Civil Procedure.

5.5 Certificate of Agreement Compliance. If, at the conclusion of a Periodic Review, Owner is found to be in compliance with this Agreement, City shall, upon request by Owner, issue a Certificate of Agreement Compliance ("Certificate") to Owner stating that after the most recent Periodic Review and based upon the information known or made to the Director of the Community Development Department and the City Council that (1) this Agreement remains in effect and (2) Owner is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance. Owner may record the Certificate with the County Recorder.

## 6. DEFAULT AND REMEDIES.

6.1 Enforcement. Unless amended or canceled as herein provided, this Agreement is enforceable by any party to it notwithstanding a change in the applicable general or specific plan, zoning, subdivision, or building regulations adopted by the City which otherwise would alter or amend the rules, regulations, or policies governing permitted uses of the Property, density, design, improvement, and construction standards and specifications applicable to the Development Plan.

6.2 Events of Default. A party to this Agreement is in default under this Agreement upon the happening of one or more of the following events or conditions:

(a) If a warranty, representation or statement made or furnished by Owner to City or City to Owner is false or proves to have been false in any material respect when it was made;

(b) A finding and determination by City or Owner that upon the basis of substantial evidence the City or Owner has not complied in good faith with one or more of the terms or conditions of this Agreement.

### 6.3 Procedure Upon Default.

(a) Upon the occurrence of an event of default, the non-defaulting party may terminate or modify this Agreement in accordance with the procedures set forth in Subsection 6.3(b) below.

provided in one or more of the Purchase Agreement, Owner shall assert any such defenses or indemnification rights on behalf of City, its officers, agents, employees, and independent contractors, or assign such rights to City, at City's option. However, Owner's obligation to defend, indemnify and hold harmless City and its officers, employees, agents or independent contractors from any claims or liability in connection with or arising from the presence of any Hazardous Substance on the Property or any portion thereof shall not be in any way limited or eliminated by the terms of the Purchase Agreement, and Owner's obligation hereunder shall survive the termination of this Development Agreement, no matter how caused. Notwithstanding anything herein to the contrary, Owner shall have no obligation to indemnify the City as herein provided with respect to any Hazardous Substances which are proven by Owner to have been first brought onto the Property subsequent to the sale by the Owner of the Property, or the affected portions thereof.

7. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit Owner, in any manner, at Owner's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. City acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with Owner with representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee has submitted a request in writing to the City in the manner specified herein for giving notices, shall be entitled to receive written notification from City or any default by Owner in the performance of Owner's obligations under this Agreement.

(c) If City timely receives a request from a Mortgagee requesting a copy of any notice of default given to Owner under the terms of this Agreement, City shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to Owner. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have any obligation or duty under this Agreement to perform any of Owner's obligations or other affirmative covenants of Owner hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by Owner is a condition precedent to the performance of a covenant by City, the performance thereof shall continue to

8.9 No Third Party Beneficiaries Other Than Agency. The Agency shall be a third party beneficiary of this Agreement. Excepting for the Agency, there shall be no third party beneficiaries of this Agreement. No person other than the parties and the Agency shall have any right of action based upon any provision of this Agreement.

8.10 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the terms of this Agreement shall not be extended under any circumstances for more than two (2) years as a result of any such force majeure event.

8.11 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed by such benefited party.

8.12 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

8.13 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

8.14 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

8.15 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between City and Owner is that of a government entity regulating the development of private property and the Owner of such property.

8.16 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon

STATE OF CALIFORNIA

COUNTY OF \_\_\_\_\_

)  
) ss.  
)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(Print Name of Notary Public)

personally appeared \_\_\_\_\_

☐ personally known to me

-or-

☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature Of Notary

### OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

#### CAPACITY CLAIMED BY SIGNER

- ☐ Individual  
☐ Corporate Officer

\_\_\_\_\_  
Title(s)

- ☐ Partner(s)      ☐ Limited  
                          ☐ General  
☐ Attorney-In-Fact  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other: \_\_\_\_\_

Signer is representing:  
Name Of Person(s) Or Entity(ies)  
\_\_\_\_\_  
\_\_\_\_\_

#### DESCRIPTION OF ATTACHED DOCUMENT

\_\_\_\_\_  
Title Or Type Of Document

\_\_\_\_\_  
Number Of Pages

\_\_\_\_\_  
Date Of Documents

\_\_\_\_\_  
Signer(s) Other Than Named Above

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date as described above.

**"CITY"**

THE CITY OF LOMA LINDA, a municipal corporation of the State of California

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stradling Yocca Carlson & Rauth  
By: Mark J. Huebsch, Esq.

**"OWNER"**

SGA LOMA LINDA ESTATES, L.P. a California Limited Partnership

By: \_\_\_\_\_  
Sal Gottuso  
Its: General Partner

*ALL SIGNATURES ARE TO BE ACKNOWLEDGED  
BEFORE A NOTARY PUBLIC*

STATE OF CALIFORNIA

)

) ss.

)

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
(Print Name of Notary Public)

personally appeared \_\_\_\_\_

☐ personally known to me

-or-

☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature Of Notary

### OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

#### CAPACITY CLAIMED BY SIGNER

#### DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual  
☐ Corporate Officer

\_\_\_\_\_  
Title(s)

\_\_\_\_\_  
Title Or Type Of Document

- ☐ Partner(s)      ☐ Limited  
                         ☐ General  
☐ Attorney-In-Fact  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other: \_\_\_\_\_

\_\_\_\_\_  
Number Of Pages

Signer is representing:  
Name Of Person(s) Or Entity(ies)

\_\_\_\_\_  
Date Of Documents

\_\_\_\_\_  
Signer(s) Other Than Named Above

**EXHIBIT "B"**

**LAND USE MAP**

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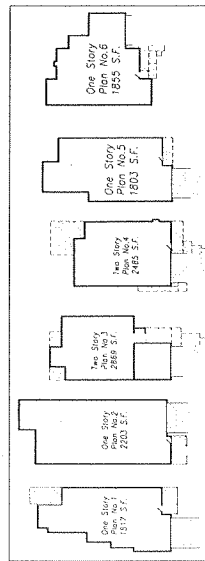
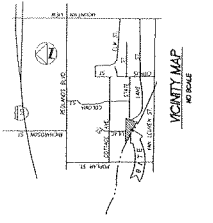
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A SUBDIVISION OF A PORTION OF LOT 15, BLOCK 75 PER MAP OF RANCHO SAN BERNADINO, IN THE CITY OF LOMA LINDA, COUNTY OF SAN BERNADINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7, PAGE 2, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

A.P.N. 0253-133-11 M.B.7/2  
EXISTING SINGLE FAMILY EXIST.  
N 00°24'08" W 75.30' TREES

BUILDINGS FOOTPRINTS N.T.S.

LOT NO.	AREA	LOT	FLOOR AREA	LOT
	AC.			COVERAGE
1	4.38 SF	1917	3F	43%
2	4.99 SF	2603	5F	58%
3	4.15 SF	1844	4F	53%
4	4.25 SF	1844	4F	42%
5	4.34 SF	1844	4F	41%
6	4.34 SF	1844	4F	41%
7	4.69 SF	1844	4F	45%
8	4.56 SF	1765	3F	36%
9	4.56 SF	1765	3F	36%
10	4.93 SF	2603	5F	41%
11	5.16 SF	2603	5F	41%
12	6.35 SF	2603	5F	39%
13	6.60 SF	2603	5F	42%
14	6.62 SF	2603	5F	37%
15	5.07 SF	2203	3F	37%
16	5.65 SF	2255	5F	40%

ITEM	SQUARE FEET	ACRES
PATIO / PRIVATE OPEN SPACE	35,836	0.82
DRIVEWAYS	12,965	0.31
BUILDING COVERAGE	31,984	0.76
RIGHT-OF-WAY DEDICATION	24,144	0.55
TOTAL SITE AREA	107,329	2.46



PREPARED FOR  
SAL GOTTUSO & ASSOCIATES  
452 SERRA DRIVE  
CORONA DEL MAR, CALIFORNIA 92625

TENTATIVE TRACT  
NO. 15738  
SITE PLAN  
E LOMA LINDA COUNTY OF SAN BERNARDINO  
STATE OF CALIFORNIA

**PBS&**

- Engineering
- Planning
- Surveying
- Construction Services

32370 Harvard St., Suite 200  
Pleasanton, California 94566  
Phone 925/258-1400  
Fax 925/258-1404

PLANS PREPARED UNDER THE DIRECTION OF:	DATE
MUHAMMAD T. YOUNES, AGE 44/80 EXPIRATION DATE: 5/30/05	

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
LOMA LINDA APPROVING AND ADOPTING THE  
DEVELOPMENT AGREEMENT BETWEEN SGA LOMA LINDA  
ESTATES, L.P. AND THE CITY OF LOMA LINDA

WHEREAS, Government Code Sections 65864 through 68569.5 provide the statutory authority for development agreements between municipalities and persons owning real property interest in the City; and

WHEREAS, the City has received an application to consider a development agreement and proceedings have been taken in accordance with City's rules and regulations, including, without limitation, a public hearing on the application by the Planning Commission and by the City Council; and

WHEREAS, notice of the City Council's intention to consider adoption of a development agreement has been given as provided by law; and

WHEREAS, the City has completed the preparation of an Initial Study and Mitigated Negative Declaration ("MND") in accordance with the California Environmental Quality Act, Public Resources Code sections 21000 et seq. ("CEQA") and its implementing regulations contained in Title 14 of the California Code of Regulations, sections 15000 et seq. (the "CEQA Guidelines"), and has made the MND available to the public and to all interested agencies for review and comment, as required by CEQA; and

WHEREAS, the City has considered all comments and correspondence, if any, received in response to the MND, and the findings and conclusions made by the City pursuant to this Ordinance are based upon all of the oral and written evidence presented to it and taken as a whole.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS. The City Council finds that the provisions of the development agreement are consistent with the General Plan and the Zoning Ordinance of the City of Loma Linda.

SECTION 2. APPROVAL OF DEVELOPMENT AGREEMENT. The City Council hereby approves and adopts the "Development Agreement between SGA Loma Linda Estates, L.P. and the City of Loma Linda" attached as Exhibit "A" and incorporated by reference. The City Manager and City Clerk of the City of Loma Linda are hereby authorized and directed to execute and attest, respectively, the Agreement on behalf of the City of Loma Linda.

SECTION 3. CEQA. The City hereby finds and ordains that:

A. The MND reflects the independent judgment of the City.

B. There is no evidence that the approval and implementation of the Development Agreement, together with the mitigation measures incorporated pursuant to the MND, will have the potential to cause an adverse effect on wildlife resources or the habitat on which such wildlife depends, and the City finds, on the basis of the substantial evidence in the record, that the presumption of adverse effect set forth in 14 Cal. Code of Regs. § 753.5(d) does not apply.

C. There is no substantial evidence in light of the whole record that the approval and implementation of the Development Agreement, with the mitigation measures incorporated therein, would have a significant effect on the environment.

D. The City hereby approves and adopts the MND and directs staff to:

(1) Prepare and file a Certificate of Fee Exemption with the California Department of Fish and Game pursuant to 14 California Code of Regulations section 753.5; and

(2) Prepare and file a Notice of Determination with the Clerk of the County of San Bernardino and the Office of Planning and Research pursuant to 14 California Code of Regulations section 15075; and

(3) Keep a copy of the MND and all documents referenced therein at the City offices and available for public review.

SECTION 4. RECORDATION. The City Clerk is directed to transmit the development agreement to the County Recorder for recordation no later than ten (10) days after the adoption of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Loma Linda and to cause publication once in The Sun, the official newspaper of the City of Loma Linda, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on \_\_\_\_\_, 2005, and adopted as an ordinance of the City of Loma Linda at a regular meeting of the City Council held on \_\_\_\_\_, 2005 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

\_\_\_\_\_  
Floyd Petersen, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Byrnes-O'Camb, City Clerk

## **Attachment G**

**April 6, 2005 Planning Commission staff report**

# Staff Report

# City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF APRIL 6, 2005

TO: PLANNING COMMISSION  
FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR,  
COMMUNITY DEVELOPMENT DEPARTMENT  
SUBJECT: GENERAL PLAN AMENDMENT (GPA) NO. 03-02, ZONE CHANGE (ZC) NO. 03-02, TENTATIVE TRACT MAP (TTM) NO. 15738, PRECISE PLAN OF DESIGN (PPD) NO. 04-08 AND DEVELOPMENT AGREEMENT

### BACKGROUND & SUMMARY

This item was continued from the March 2, 2005 Planning Commission meeting to allow the applicant and their engineer to come up with a design alternative to address neighborhood concerns about connecting State, Lane and Lilac Streets.

### RECOMMENDATION

Staff recommends that the Planning Commission recommend the following actions to the City Council:

1. Adopt the Mitigated Negative Declaration (Attachment A);
2. Approve and adopt General Plan Amendment No. 03-02 and Zone Change No. 03-02 (Attachment B, Planned Community Document), based on the Findings;
3. Approve Tentative Tract Map No. 15738 and Precise Plan of Design No. 04-08 based on the Findings, and subject to the attached Conditions of Approval (Attachment C); and,
4. Approve the Development Agreement (Attachment D).

### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS

Please refer to the March 2, 2005 staff report (Attachment E).

### PROJECT DESCRIPTION

As requested, the applicant has prepared an Alternative Site Plan that shows Lilac Avenue as a cul-de-sac on the west side of the project, and connects Lane and State Streets on the east side (Attachment F, Alternative Site Plan). On the Alternative Site Plan some of the lots have been altered to accommodate the street configuration.

The proposed project fencing, which includes pilasters and cedar fence materials was not discussed at the last meeting and provides a unique design approach by the project Landscape Architect. Recently approved subdivisions have been conditioned to include both block walls, vinyl fencing, and reduced fence height. The requirement for vinyl fencing has been brought to the attention of the applicant and the Landscape Architect. Staff has informed the applicant that open work fencing (i.e., wrought iron or combinations of wrought iron and decorative block) may be a desirable feature along the rear property lines of the lots located adjacent to the creek channel. However, the open work fencing could result in a loss of privacy for the twelve houses that back up to the channel. If the Planning Commission is favorable to the open work fencing, Condition of Approval No. 1.29 has been provided to address the issues.

### **Recommended Modifications**

Please refer to the March 2, 2005 staff report for the modifications suggested at the last meeting. Staff is pleased with overall design of the Alternative Site Plan. However, the following items are areas that staff also would like to see modified. Through Conditions of Approval, these modifications can be accomplished by staff review and approval.

- If the Planning Commission and City Council approve the Alternative Site Plan, the applicant shall work with staff to revise the Planned Community Document. Condition No. 1.6 has been provided to add this modification.
- If the Planning Commission and City Council approve the Alternative Site Plan, the knuckle and cul-de- sac designs shall meet the City's minimum design requirements. Condition No. 3.1 has been provided to add this modification.
- If the Planning Commission and City Council approve the Alternative Site Plan, the private drive off of the Lilac Avenue cul-de-sac shall have a stamped and colored concrete design. Condition No. 1.36 has been provided to add this modification.
- The private drive off of the Lilac Street cul-de-sac shall be designed to accommodate a pedestrian easement and walkway to State Street in order to provide neighborhood connectivity. Condition No. 1.37 has been provided to add this modification.
- The private drive shall be designed with some sort of barrier (i.e. fence, wall, bollards or pilasters) to prevent vehicular access from Lilac Avenue to State Street. Condition No. 1.38 has been provided to add this modification.
- The fence/wall plan shall include placement of a decorative, three (3') foot block wall along the southern boundary of Lots 7 and 16. Condition No. 1.39 has been provided to add this modification.

mix duplexes and single-family residences. The Alternative Site Plan reduces the density from 11 to 6.5 units per acre.

5. *The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.*

There is no natural vegetation or undisturbed area remaining on the site. Therefore, development of the site will not cause any substantial environmental damage or substantially and unavoidably injure plant life, fish and wildlife or their habitat. There is no riparian or wetland habitats on site. The project site has several large trees that could support nesting birds and as such, the project will provide sanctuary for avian species along the San Timoteo Creek Channel. The area will be part of a larger habitat enhancement project along the Channel. The San Timoteo Creek Channel is located south of the project area and will not be disturbed by the project.

6. *The design of the subdivision is not likely to cause serious public health problems.*

The design of the subdivision and the end use of the residential tract will not cause any serious public health problems. The Mitigated Negative Declaration does not identify any impacts that could cause serious public health problems. Public Works and Fire Departments have reviewed the Alternative Site Plan and concur that it is a viable alternative to the proposal.

7. *The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

The design of the subdivision does not conflict with existing easements and in fact, utilizes the right-of-way easement that bisects the project site. The Alternative Site Plan provides access to the site from the extension of Lilac Avenue into a cul-de-sac, and from the knuckle on the conjunction of State and Lane Streets. Three of the lots have access from the private driveway that extends off of Lilac Avenue. Access to all of the 16 lots is provided. Access for emergency vehicles and apparatus, service vehicles, and passenger vehicles is adequate given the minimum 36-foot street widths.

### **Precise Plan Of Design Findings**

According to LLMC Section 17.30.290, Precise Plan of Design, Application Procedure, PPD applications shall be processed using the procedure for a variance (as outlined in LLMC Section 17.30.030 through 17.30.060) but excluding the grounds (or findings). As such, no specific findings are required. However, LLMC Section 17.30.280, states the following:

"If a PPD would substantially depreciate property values in the vicinity or would unreasonably interfere with the use or enjoyment of property in the vicinity by the occupants thereof for lawful purposes or would adversely affect the public peace, health, safety or general welfare to a degree greater than that generally permitted by this title, such plan shall be rejected or shall be so modified or conditioned before adoption as to remove the said objections."

**ATTACHMENTS**

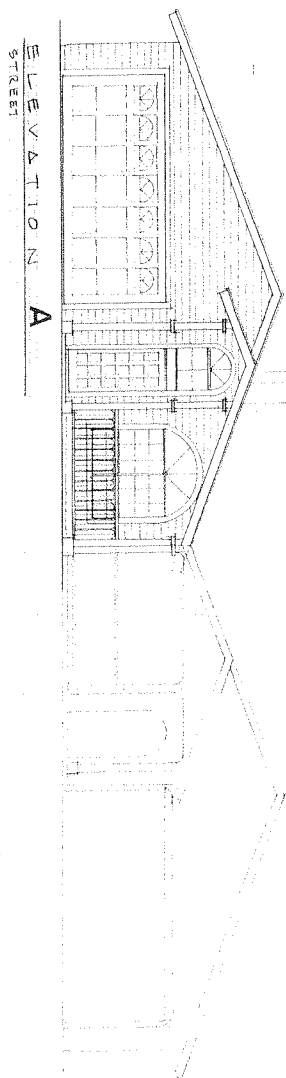
- A. Negative Declaration (NOI/Initial Study)
- B. Planned Community Document
- C. Conditions of Approval
- D. Development Agreement
- E. March 2, 2005 Planning Commission Staff Report
- F. Alternative Site Plan/Tentative Tract Map
- G. Conceptual Landscape Plans
- H. Floor Plans
- I. Comment Letters

I:\Project Files\TRACT MAPS\TT 15738 - SGA & Assoc\PC 04-06-05 sr.doc

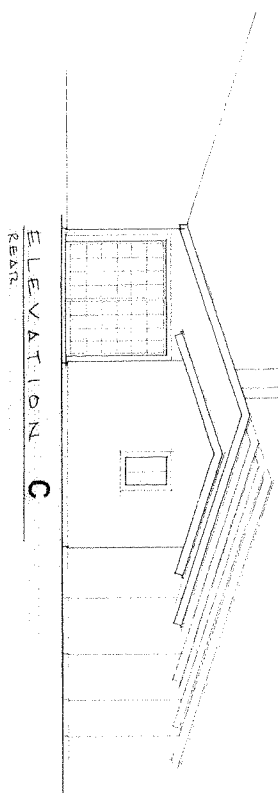


# **Attachment H**

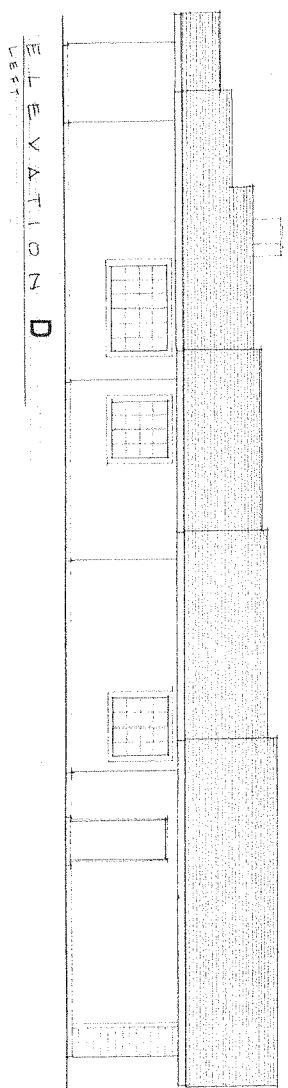
**Floor Plans and Elevations.**



ELEVENTH  
 STREET



REAR ELEVATION




EXTRACT

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LOT # 1 (ONLY)

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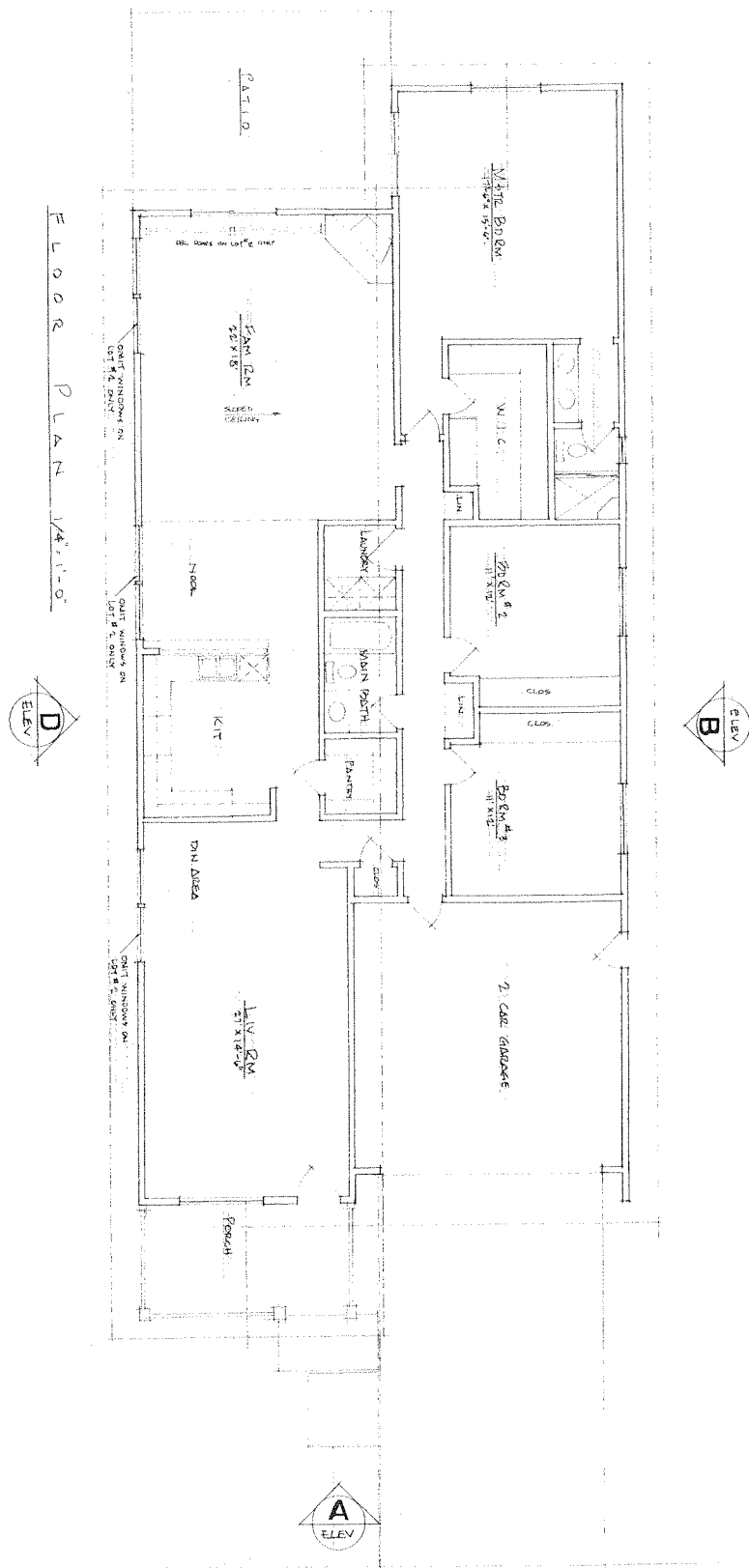
PLAN NO 1  
LOT #1 (ONLY)  
EXTERIOR ELEVATIONS

 **Loma Linda Tract 15738**  
Sal Gottuso & Associates

DRAWN A/M
CHECKED
DATE FEB 1, 2005
SCALE
JOB NO.
SHEET 2
OF 14 SHEETS



Elevated C



PLAN No 2 2203 SQ FT  
LOTS # 2, 11, 12, 13, 14

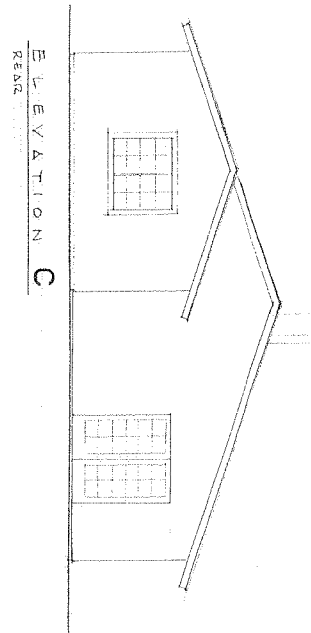
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SHEET	3
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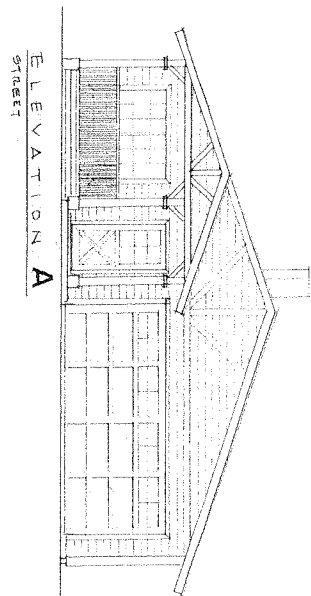
**SAMUEL ARTHUR MARTINEZ**  
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2507 SOUTH TOMSENH STREET, SANTA ANA, CA, 92704  
PHONE: (714) 840-8000 FAX: (714) 840-3475

Loma Linda Tract 15738  
Sal Gottuso & Associates

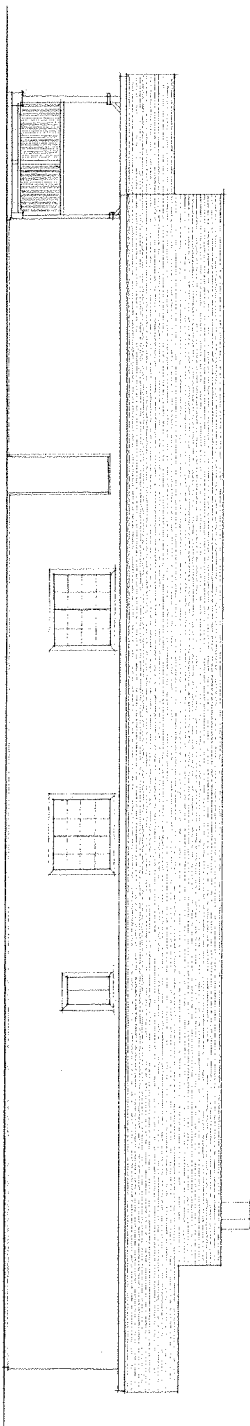
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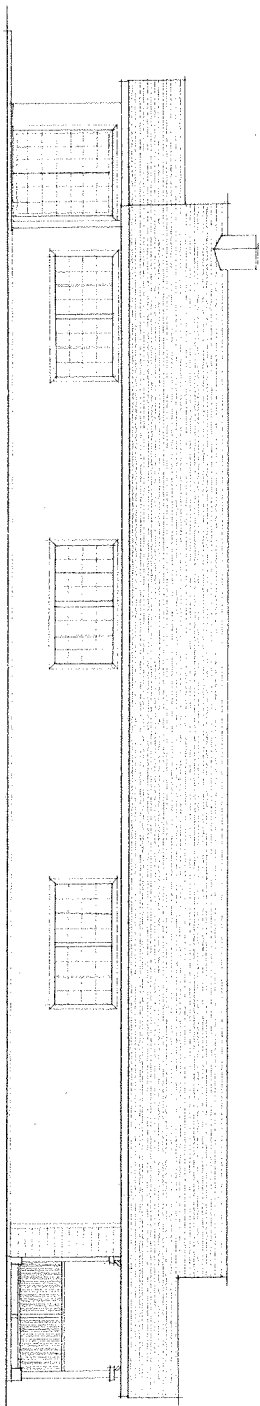
ELEVATION C  
REAR



ELEVATION A  
STREET



ELEVATION B  
RIGHT



ELEVATION D  
LEFT

PLAN No 2  
Lots # 2, 11, 12, 13, 14

REVISIONS	BY

PLAN NO 2  
Lots 2, 11, 12, 13, 14  
EXTERIOR ELEVATIONS

**Loma Linda Tract 15738**  
Sal Gottuso & Associates

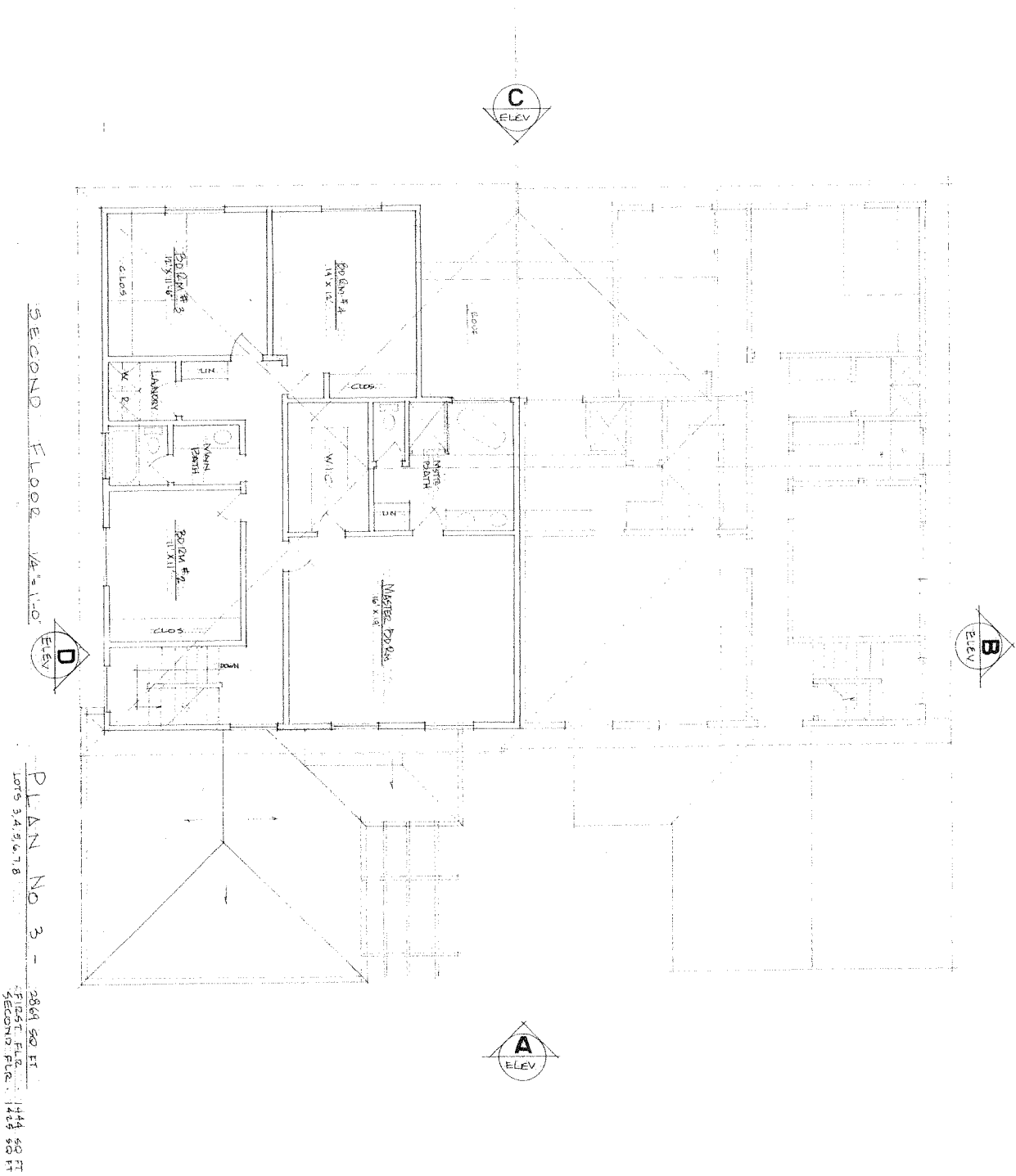
RAMON ARTURO MARTINEZ  
ARCHITECT - ARCHITECT - ARCHITECT  
2111 WEST CHURCH STREET, SUITE 100, IN  
POMONA, CALIF. 91768

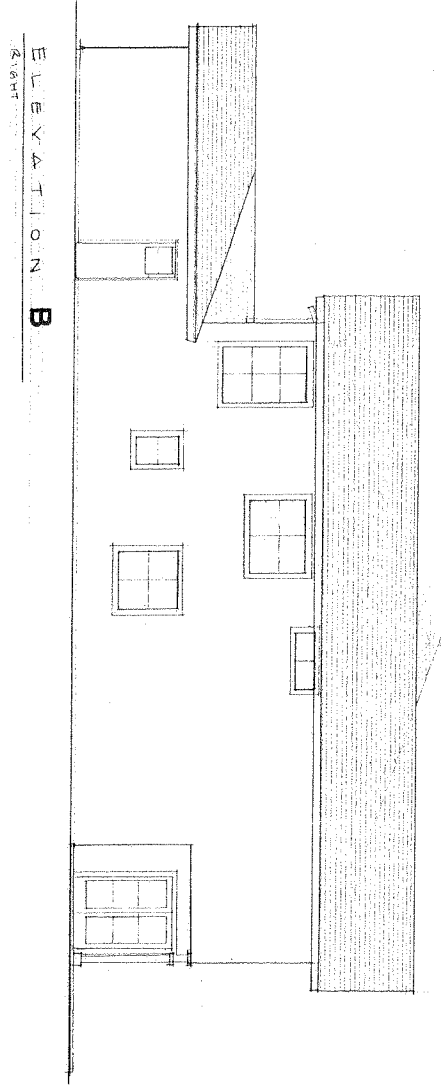
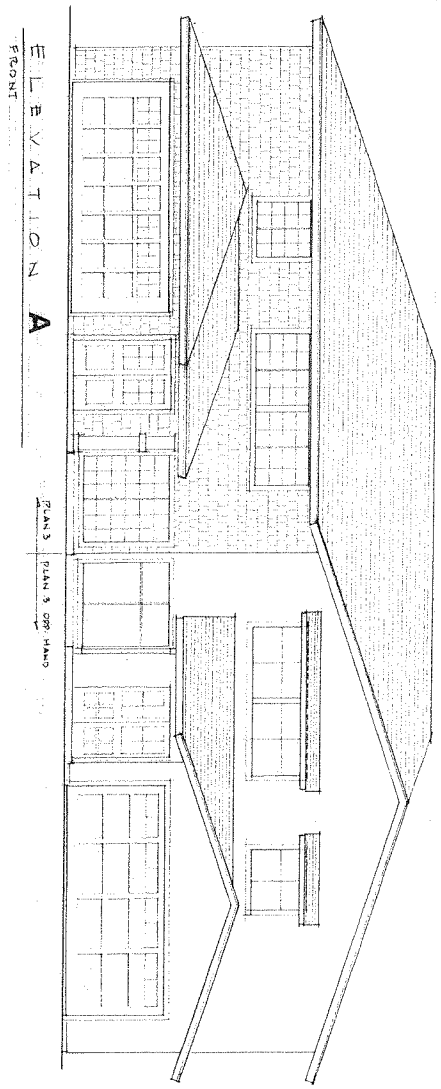
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CHECKED E.E. GOTTUSO	JOB NO.
SCALE	SHEET
OF 14	ARCHITECT



Loma Linda Tract 15738  
Sal Gottuso & Associates

[illegible]





PLAN NO 3  
LOTS # 3, 4, 5, 6, 7, 8



Loma Linda Tract 15738  
Sal Gottuso & Associates

PLAN No 3  
LOTS # 3, 4, 5, 6, 7, 8  
EXTERIOR ELEVATIONS

REVISIONS	BY

DRAWN	
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DATE	
SCALE	
JOB NO.	
SHEET	7
DATE	14

LEFT

# ELEVATION

PLAN 4'S REVERSED PLAN 3

PL & N # 3  
-LOTS # 3, 4, 5, 6, 7, 8

DRAWN	AM
CHECKED	
DATE	FEB 1, 2005
SCALE	
JOB NO.	
SHEET	3
SHEETS	14



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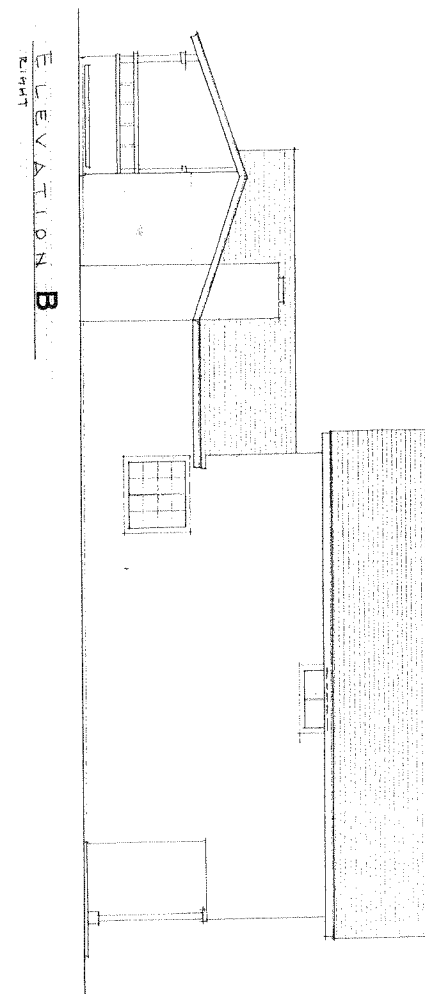
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LOTS # 3, 4, 5, 6, 7, 8

## EXTERIOR ELEVATIONS

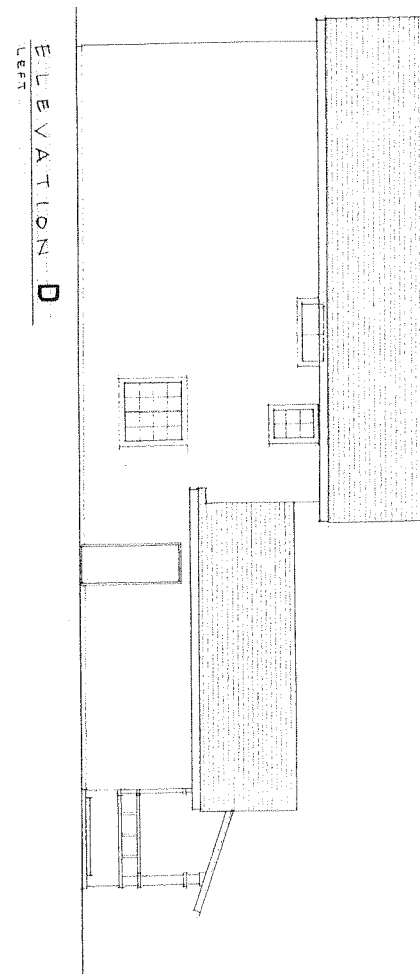
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RIGHT



ELEVATION D  
LEFT

PLAN No 4

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LOT # 9, 10

PLAN NO 4  
LOTS 9, 10  
EXTERIOR ELEVATIONS

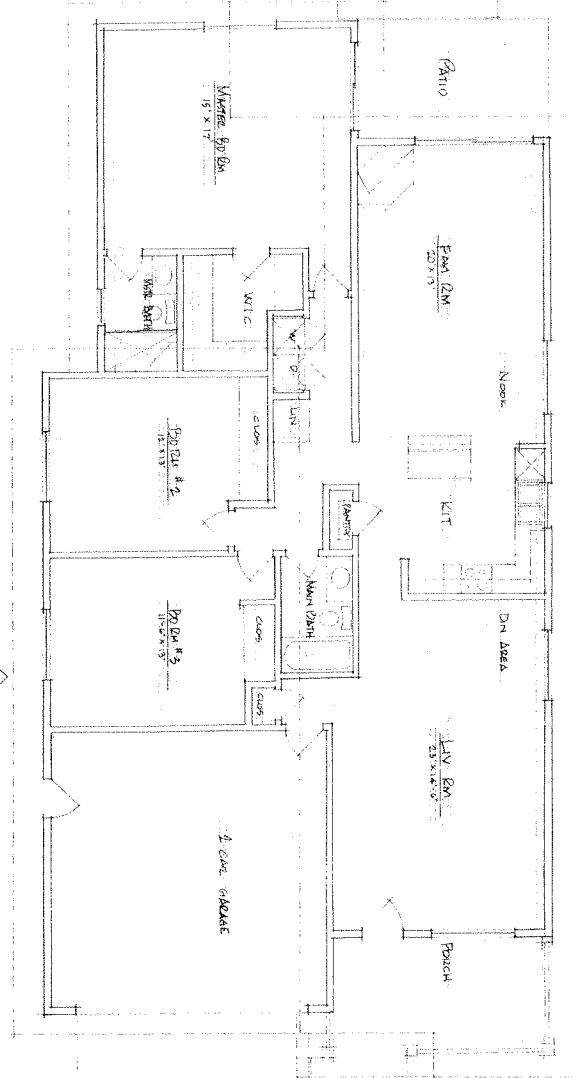
Loma Linda Tract 15738  
Sal Gottuso & Associates



**SAMUEL ARNYTH MARTINEZ**  
architecture planning interiors

2017 South Washington Street, Suite 100, Co  
Portland, OR 97202 Phone: (503) 241-2000

DRAWN  
A M  
CHECKED  
OATS  
FEB 1, 2005  
MEALS  
JOB NO.



FLOOR PLAN 4'-1-0"

PLAN NO 5 1803 SQ FT  
LOT 8-15 (ONLY)

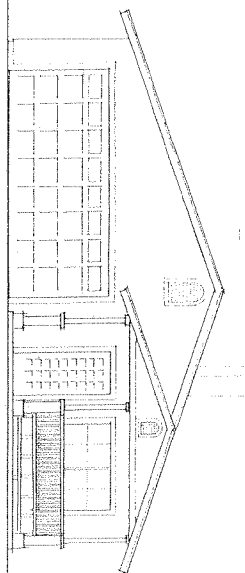


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2517 SOUTH POMERENE STREETS, SANTA ANA, CA. 92704  
PHONE: (714) 545-8888      FAX: (714) 545-8877

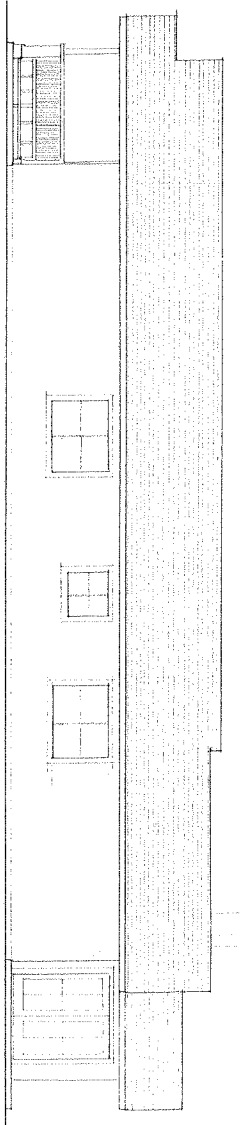
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Sal Gottuso & Associates

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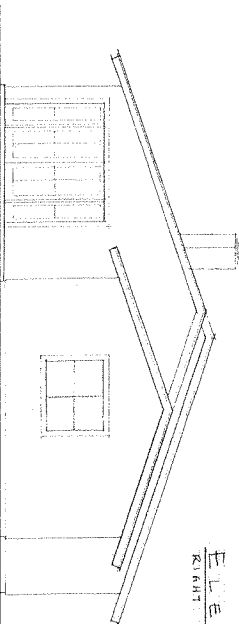
ELEVATION A  
FRONT



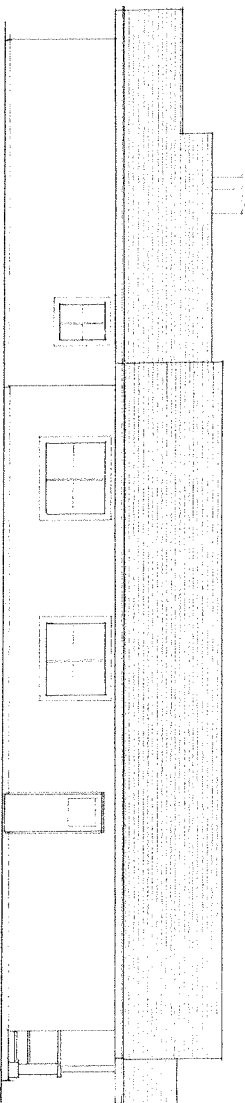
ELEVATION B  
RIGHT



ELEVATION C  
REAR



ELEVATION D  
LEFT



PLAN NO 5  
LOT # 15 (ONLY)

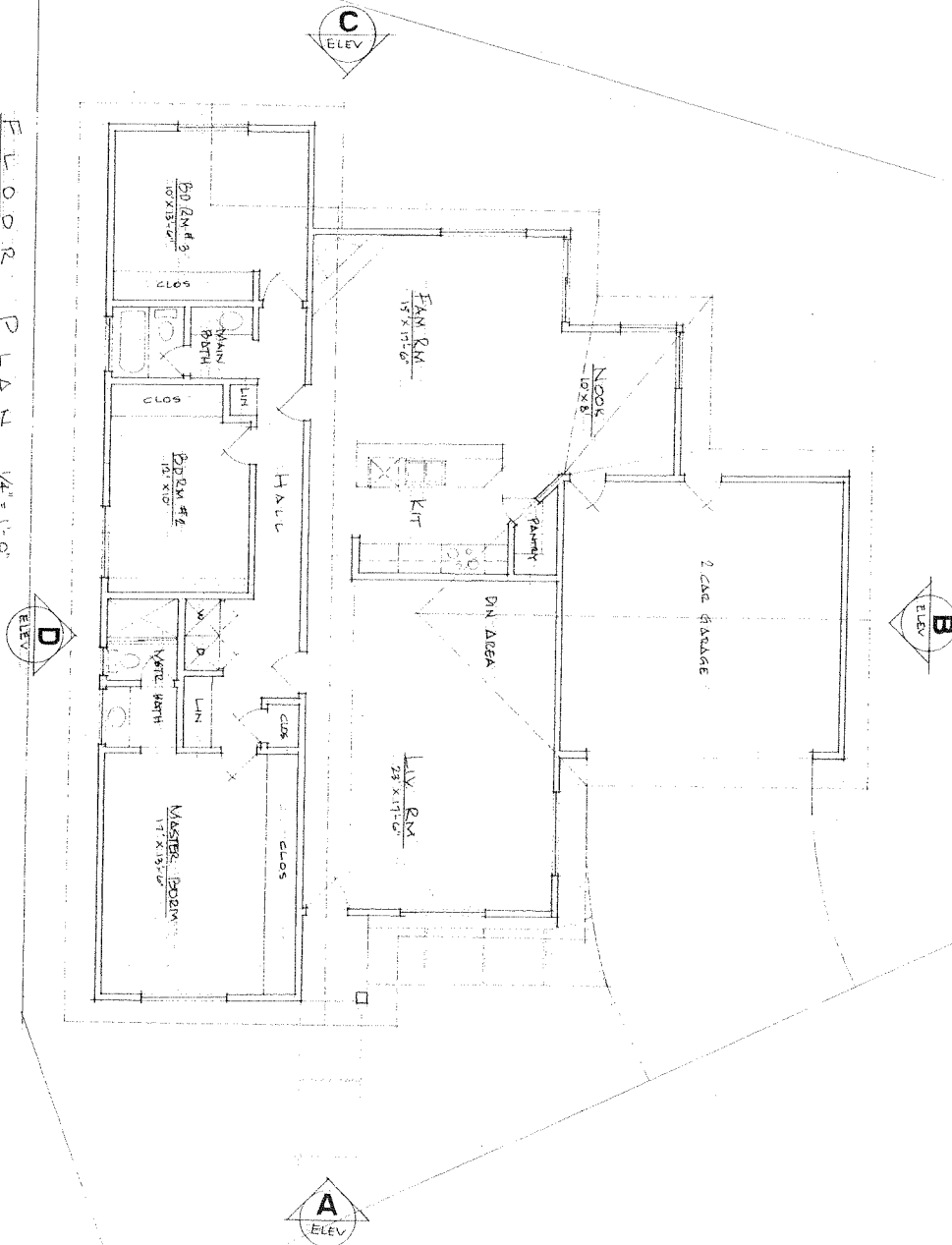
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OF 14	948278

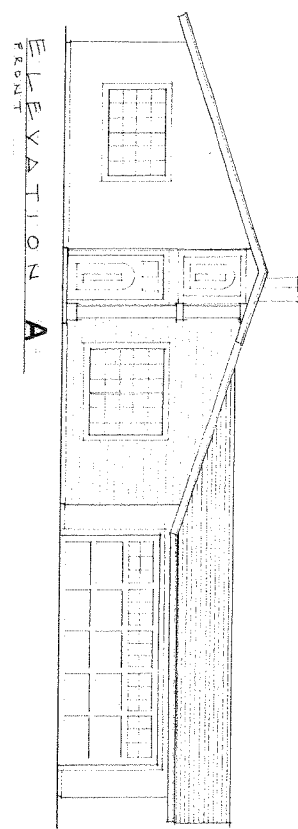
	Loma Linda Tract 15738 Sal Gottuso & Associates
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PLAN NO 5 LOT # 15 (ONLY)
EXTERIOR ELEVATIONS

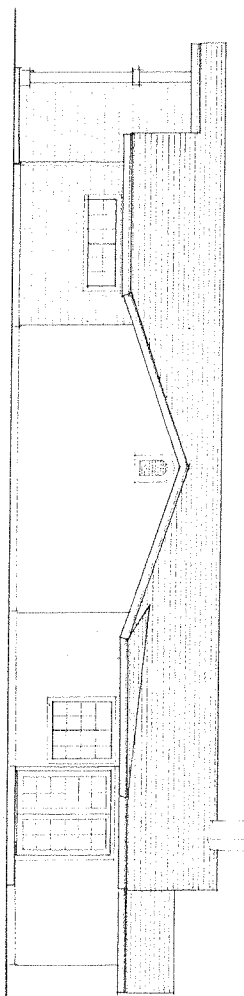
REVISIONS	BY

Q LAZ Z O 6 - 1856 SQ FT  
LOT # 19

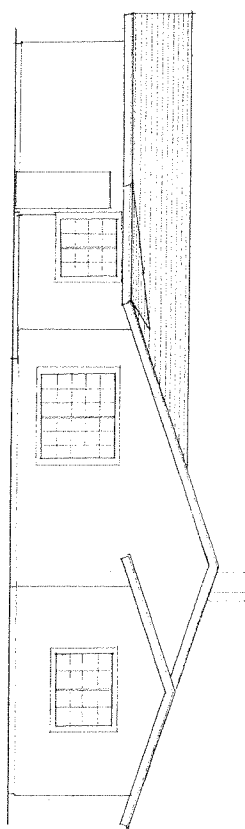




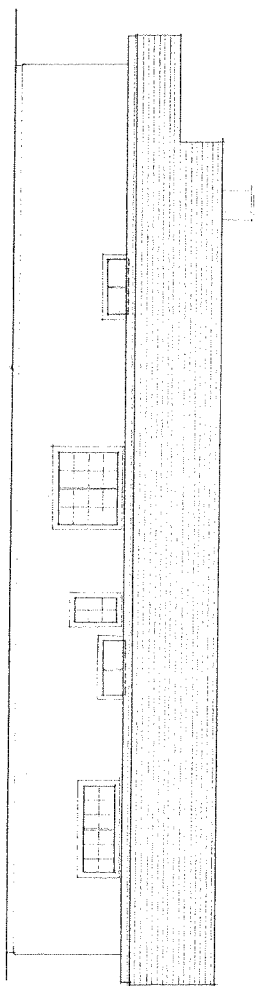
ATTENTION FRONT



LEVEL 10Z  
RIGHT



REAR LEVATION C



LEFT

Q L N N Q 6  
LOT # 16 (ONLY)



Loma Linda Tract 15738  
Sal Gottuso & Associates

PLAN NO 6  
LOT # 16 (ONLY)

EXTERIOR ELEVATIONS

[illegible]